United Nations S/2003/872

Security Council

Distr.: General
10 September 2003

Original: English

Draft resolution

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1466 (2003) of 14 March 2003, and the presidential statement of 17 July 2003 (S/PRST/2003/10),

Further reaffirming its unwavering support for the peace process and its commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea (UNMEE) in the implementation of its mandate, to the full and expeditious implementation of the Comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 12 December 2000 and the preceding Agreement on the Cessation of Hostilities of 18 June 2000 (S/2000/1183 and S/2000/601, respectively, hereinafter referred to as the "Algiers Agreements") and the Delimitation Decision by the Boundary Commission of 13 April 2002 (S/2002/423), embraced by the parties as final and binding in accordance with the Algiers Agreements,

Noting that the peace process has now entered its crucial phase of demarcation and emphasizing the importance of ensuring expeditious implementation of the Boundary Decision while maintaining stability in all areas affected by the decision,

Expressing concern at delays in the demarcation process, particularly given the operational cost of UNMEE at a time of growing demands on United Nations peacekeeping,

Expressing concern at the continuing humanitarian crisis in Ethiopia and Eritrea and the implications this could have on the peace process, and *calling on* Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea,

Reiterating its urgent demand that the parties allow UNMEE full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, UNMEE and its staff in the discharge of its mandate,

Expressing concern regarding the reported increase in incidents of incursions at the local level into the Temporary Security Zone (TSZ), and *calling on* both parties to prevent such incidents, and *expressing further concern* about the increasing number of mine incidents in the TSZ, including newly planted mines,

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Noting the work done by the UNMEE Mine Action Coordination Centre in demining and education on risk related to mines, and *urging* the parties to pursue efforts on mine clearance,

Having considered the report of the Secretary-General (S/2003/858), and *fully supporting* the observations and recommendations made therein,

1. *Decides* to extend the mandate of UNMEE at the troop and military observer levels authorized by its resolution 1320 (2000) of 15 September 2000, until 15 March 2004;

2. *Calls for* demarcation of the boundary to begin as scheduled by the Boundary Commission and *further calls on* the parties to create the necessary conditions for demarcation to proceed, including the appointment of field liaison officers;

3. *Urges* the Governments of Ethiopia and Eritrea to assume their responsibilities and to take further concrete steps to fulfil their commitments under the Algiers Agreements;

4. *Calls on* Ethiopia and Eritrea to cooperate fully and promptly with the Boundary Commission to enable it to fulfil the mandate conferred upon it by the parties of expeditiously demarcating the boundary and to implement fully the Commission's Demarcation Directions and Orders, and to take all necessary steps to provide the necessary security on the ground for the Boundary Commission's staff and contractors operating in territories under their control, and welcomes assurances given by both parties in this regard;

5. *Urges* the parties to cooperate fully and expeditiously with UNMEE in the implementation of its mandate, to ensure the personal security of all UNMEE staff when operating in territories under their control, and to facilitate their work, including by establishing a direct high-altitude flight route between Asmara and Addis Ababa to relieve the unnecessary additional cost to UNMEE, and by lifting all visa restrictions on UNMEE personnel and mission partners;

6. *Reaffirms* the crucial importance of political dialogue between the two countries for the success of the peace process and the consolidation of progress made so far, *welcomes* initiatives to facilitate this dialogue, and *calls again on* both parties to normalize their relationship through political dialogue, including confidence-building measures;

7. *Decides* to follow closely the progress made by the parties in the implementation of their commitments under the Algiers Agreements, including through the Boundary Commission, and to review any implications for UNMEE;

8. *Welcomes* the contributions by Member States to the Trust Fund for the Delimitation and Demarcation of the Border, and *calls on* the international community to continue to contribute urgently to the Trust Fund in order to facilitate the conclusion of the demarcation process in accordance with the Boundary Commission's schedule;

9. *Decides* to remain actively seized of the matter.

United Nations A/57/862–S/2003/873

General Assembly
Security Council

Distr.: General
10 September 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 36 and 160

Security Council
Fifty-eighth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 10 September 2003 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing following the two brutal Palestinian terrorist attacks perpetrated yesterday against the citizens of Israel.

Last night, 9 September 2003, at approximately 11.20 p.m. (local time), a suicide bomber perpetrated an attack at a popular café on Emek Refaim Street, the main thoroughfare of the German Colony neighbourhood in Jerusalem. The powerful explosion ripped through buildings in the area, killing at least seven civilians and wounding 40 others. The terrorist organization Hamas, which operates freely from Palestinian Authority territory, claimed responsibility for the attack and threatened further acts of murder against Israeli civilians.

Also yesterday evening, 9 September 2003, at approximately 6.00 p.m. (local time), a suicide bomber perpetrated an attack at a crowded bus depot near Rishon Letzion in Central Israel. At least seven citizens were killed and 30 were wounded, most of them seriously, when the bomber detonated an explosive device, setting off a powerful explosion in an area adjacent to the Assaf Harofeh Hospital. The bomb was packed with nails and shrapnel in order to maximize the pain and suffering of its victims. Hamas also claimed responsibility for this attack.

Today's attacks comes just over a week after Palestinian terrorists ambushed a car near Kochav Hashachar on 29 August 2003, killing a man and seriously injuring his pregnant wife. The family's car was on the Alon highway when gunmen opened fire at the vehicle, causing it to overturn. Murdered in the attack was Shalom Harmelech, 25, of Homesh. The Fatah Al Aqsa Martyrs Brigades loyal to Yasser Arafat's Fatah organization claimed responsibility for the attack.

Earlier in the month, on 19 August 2003, a suicide bomber perpetrated a brutal massacre on a crowded bus in downtown Jerusalem. Twenty-two people were killed and 135 wounded, many of whom were children, when the terrorist detonated a five-kilogram device packed with ball bearings. The bus was filled with orthodox Jewish

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families who were returning from prayers at the Western Wall, and the terrorist himself dressed as an orthodox Jew in order to enter the bus undetected. Hamas claimed responsibility for the bombing. The bus attack was further preceded, on 12 August 2003, with a pair of near-simultaneous suicide attacks that killed two Israelis and wounded at least a dozen others.

The majority of these attacks occurred during a period when Palestinian terrorist groups had declared a so-called ceasefire (*hudna*), which in practice served as an opportunity for these groups to rearm, plan and perpetrate further attacks, while the official Palestinian leadership did nothing to prevent them despite its clear legal and moral obligations. Israel's steps to fulfill its commitments, including the withdrawal of forces, the dismantling of unauthorized outposts, the easing of travel restrictions and attempts to improve humanitarian and economic conditions, have been met with total inaction by the Palestinian side and pathetic justifications of the continuing terrorist attacks — attacks which have compelled Israel to continue defensive counter-terrorist operations.

As this most recent and brutal wave of terrorism indicates, the brazen refusal of the Palestinian Authority to take the strategic decision to dismantle terrorist organizations, which it has defiantly declared to be "not an option at all", continues to ravage the lives of innocent civilians and endanger our effort to build a new reality for the people of the region. It proves, once again, that there can be no tolerance or negotiation with vicious terrorist organizations whose declared aim is the destruction of Israel, and who prove this hateful objective by attempting to indiscriminately murder as many innocent civilians as possible.

At this critical juncture in the peace process, the new Palestinian leadership once again faces the strategic choice between continuing the path of terrorism and murder, which is sure to lead to more violence and bloodshed, and embarking upon the road to peace. Israel is reminded by every innocent drop of blood shed in this barbaric campaign of terrorism that no peace agreement can survive while terrorist organizations maintain their capacity to kill and maim. Either the Palestinian Authority will finally meet its duties to fight terrorism and be a partner in peace, or it will continue to ally itself with the network of global terrorists and their state sponsors, who have brought only despair and devastation to the globe.

Thus far, the Palestinian leadership, including its permanent observer in the United Nations, glorifies terrorists as martyrs and seeks condemnation of the defensive response to terrorism rather than the terrorism itself. Instead of engaging in shameful moral equivalence between the deliberate murder of innocent civilians and the defensive measures taken to protect them, the Palestinian leadership must take its share of responsibility for the blood shed in the region and for rejecting, time and again, the opportunity for peace and mutual compromise.

Israel expects the new Palestinian leadership to put an absolute end to terrorism by working to fulfill their obligations, in accordance with Security Council resolutions, international law and signed agreements. The fulfillment of these obligations requires at least five concrete Palestinian actions: (1) completely dismantling terrorist networks, (2) preventing terrorist attacks, (3) confiscating and destroying illegal weapons, (4) bringing terrorists to genuine justice, and (5) ending incitement in the media, in mosques and in schools.

In the light of the continuing rejection by the Palestinian leadership of its obligations to dismantle terrorist organizations, Israel is compelled to take the necessary measures to defend its citizens, in accordance with its right and duty of self-defense. In so doing, Israel will make every effort to minimize harm to innocent civilians despite the criminal and immoral tactics of Palestinian terrorists, who not only deliberately target the innocent but also gravely endanger Palestinian civilians by hiding among them in grave violation of the most fundamental principles of international humanitarian law. The responsibility for civilian casualties lies first and foremost with those terrorist organizations that callously use Palestinian civilians as human shields in pursuing a morally bankrupt and criminal campaign. In addition, this responsibility rests with the Palestinian leadership that allows the terrorists to operate with impunity and whose pro-terrorism position is what has forced Israel to take defensive measures.

Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics, to accept nothing less than the complete dismantling of terrorist organizations, and to use its authority to compel all regimes that sponsor terrorism in the region to fulfill their responsibilities in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001). The Palestinian leadership must understand that the international community will not tolerate its continuing failure to meet its counter-terrorism obligations, and will never countenance the establishment of a Palestinian state built on the basis of terrorism and the rejection of the rights of others to live in peace and security in the region.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism that began in September 2000, which document the criminal terrorist activity for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-seventh session of the General Assembly, under agenda items 160 and 36. I am submitting an identical letter to the President of the Security Council for circulation as a Security Council document.

(*Signed*) Dan **Gillerman**
Permanent Representative

United Nations A/ES-10/236–S/2003/874

General Assembly
Security Council

Distr.: General
10 September 2003

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-eighth year

Identical letters dated 10 September 2003 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In yet another attempted extrajudicial execution, war planes of Israel, the occupying Power, today bombed the home of Mr. Mahmoud Al-Zahar, wounding him and killing two people, including his 26-year-old son, and wounding more than 20 other civilians, including his wife. The bombing completely also destroyed Mr. Al-Zahar's home, which was located in the densely populated Rimal neighborhood of Gaza City, and caused extensive damage to several adjacent homes as well. This attempted extrajudicial execution represents the eighth such attack committed by the Israeli occupying forces in the past three weeks alone. The continuation of this criminal and insane Israeli policy threatens to bring the situation to a catastrophic precipice.

In addition to today's bombing, the Israeli occupying forces yesterday, in the pre-dawn hours, raided the Palestinian city of Al-Khalil, laying siege to an apartment building, firing tank shells and killing three Palestinians and later demolishing the entire building. One of the Palestinians killed was a 13-year-old boy, Thaer Mansour Al-Siouri, who died after he was hit in the face by shrapnel from the tank fire. It has been reported that the occupying forces also used several Palestinian civilians as "human shields" during that same raid.

The deterioration of the situation on the ground was further hastened yesterday when, fulfilling their threats to respond to the continuous Israeli attacks, two suicide bombings were committed by Palestinian groups, the first near Tel Aviv and the second in West Jerusalem, killing several Israelis. Yesterday, the Palestinian leadership firmly condemned both of these bombings and reiterated its call for the complete cessation of such acts.

As the death toll continues to mount and the situation continues to perilously decline, it is imperative that measures be undertaken to bring this vicious cycle to an end. At the same time, in this regard, efforts to reach a peaceful settlement between the two sides must be urgently revived. The Palestinian-Israeli conflict is at a critical

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juncture that clearly requires immediate and serious action by the international community.

This letter is in follow-up to our previous 172 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 8 September 2003 (A/ES-10/XXX-S/2003/XXX), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my regret to inform you that, since my last letter, at least six Palestinians, including one child, have been killed by the Israeli occupying forces, raising the total number of martyrs to 2,533 Palestinians. (The names of the martyrs that have been identified thus far are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 10 September 2003 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem*

(Tuesday, 9 September 2003, to Wednesday, 10 September 2003)

Tuesday, 9 September 2003

1. Thaer Mansour Al-Siouri (13 years old)
2. Ahmed Othman Shafik Badir
3. Izzedine Khadir Misk
4. Ammar Abu Warda

Wednesday, 10 September 2003

1. Khaled Mahmoud Al-Zahar
2. Shihdeh Yousef Al-Deri

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,533.

United Nations S/2003/875

Security Council

Distr.: General
11 September 2003

Original: English

Report of the Secretary-General to the Security Council on Liberia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1497 (2003) of 1 August 2003, by which the Council authorized the deployment of a multinational force in Liberia and declared its readiness to establish a follow-on United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia. By that resolution, the Council also requested that I submit recommendations on the size, structure and mandate of such a United Nations force. I dispatched a multidisciplinary assessment mission to Liberia to assess the situation on the ground and consult with the Liberian parties and other stakeholders.

2. The present report provides a brief historical background and update of the situation in Liberia. It also outlines my recommendations on the role the United Nations can play to facilitate the effective implementation of the Comprehensive Peace Agreement signed on 18 August 2003 by the Liberian parties, including through the deployment of a United Nations peacekeeping operation.

II. Historical background

3. In September 1997, upon the completion of the 1990-1997 peace process, the United Nations Observer Mission in Liberia (UNOMIL) withdrew from the country. The last contingent of the ECOWAS Monitoring Group (ECOMOG) also withdrew from Liberia in November 1999. On 1 November 1997, I established the United Nations Peace-building Support Office in Liberia (UNOL). The primary task of the Office was assisting the Government of Liberia in consolidating peace after the election of President Charles Taylor in the multiparty elections of July 1997.

4. With the full support of the Security Council, the United Nations country team, and national stakeholders, including prominent civil society organizations, UNOL tried to facilitate the promotion of national reconciliation, good governance and respect for the rule of law and human rights. The Office also helped to mobilize international assistance for the implementation of reconstruction and development programmes. On 23 April 2003, the Security Council endorsed the revised mandate of UNOL as agreed with the Government of Liberia. In addition to its initial tasks, UNOL was to focus on assisting the Government of Liberia in addressing its

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expressed capacity-building needs in the areas of human rights and preparations for elections, as well as on developing a peace-building strategy integrating political objectives, programme assistance and human rights considerations.

5. Those peace-building efforts were seriously hampered by the inability of the Government and opposition party leaders to resolve their differences over key issues of governance. The Government's policy of exclusion and harassment of political opponents, as well as systematic abuses of human rights, especially by government militia and security agencies, gravely undermined efforts to promote national reconciliation. This situation, coupled with the absence of effective reform of the security sector, contributed to the resumption of the civil war in Liberia. The two rebel groups that emerged in 1999 and 2002, respectively, Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), vowed to overthrow President Taylor's Government. Many of the LURD rebels are adherents of the various factions that participated in the first civil war (1989-1997) but were not absorbed into the armed and security forces of Liberia after President Taylor took office.

6. Several attempts by civil society organizations to promote dialogue between the Government of Liberia and the rebel movements proved unsuccessful. As part of the confidence-building process facilitated by King Mohammed VI of Morocco among heads of State of the Mano River Union countries, a summit meeting was convened at Rabat on 17 February 2002. The leaders pledged to resolve their differences through a Joint Security Committee established at the subregional level. The Rabat dialogue process, which was expected to also help resolve the Liberian conflict, was suspended when President Taylor failed to attend a follow-up summit scheduled for 9 September 2002 in Guinea, citing concerns for his personal security.

7. On 17 September 2002, a 10-member International Contact Group on Liberia was established in New York under the co-chairmanship of the Economic Community of West African States (ECOWAS) and the European Union, as a means of involving the international community further in efforts to resolve the Liberian crisis. The Contact Group held four meetings to chart the way forward. On 13 December 2002, the Security Council, in a presidential statement (S/PRST/2002/36), proposed that the Council and the international community cooperate to develop a comprehensive strategy to address the situation in Liberia and the threat it posed to international and regional peace and security. The Council further expressed its commitment to an expanded role for UNOL.

8. From 4 to 9 May 2003, at the request of President Taylor, I dispatched a joint United Nations-African Union-ECOWAS multidisciplinary needs assessment mission to Liberia. The purpose of the mission was to evaluate the conditions for the holding of free and fair elections and to explore ways in which the international community could help to find a peaceful and lasting solution to the civil conflict. The assessment mission noted the overwhelming view of the Liberian political parties that the prevailing conditions in Liberia were not conducive to the holding of elections then scheduled for October 2003. The Liberian parties also indicated that the immediate and unconditional cessation of hostilities and the convening of peace negotiations among all concerned parties were the most pressing requirements for restoring peace to the country.

III. Recent political and military developments

9. By early May 2003, the two rebel movements had gained control of nearly two thirds of the country and were threatening to seize Monrovia. By intense regional and international pressure, the Government and the rebel movements were compelled to seek a negotiated settlement to the civil war. The efforts by the international community to help resolve the conflict culminated in the convening on 4 June 2003 in Accra, by the current Chairman of ECOWAS, the President of Ghana, John Kufuor, of direct peace negotiations involving all concerned Liberian parties. Attending were representatives of the Government of Liberia, LURD, MODEL, 18 registered political parties, and civil society organizations. The peace talks were facilitated by the ECOWAS mediator, former Nigerian Head of State General Abdulsalami Abubakar, with the support of representatives of the United Nations, the African Union, the United States of America and the International Contact Group. At the opening ceremony, President Taylor said that he was prepared to step down in the interest of peace. On 17 June 2003, a ceasefire agreement was signed. The agreement was subsequently broken, however, when the LURD forces entered Monrovia on several occasions, plunging Liberia into a new cycle of violence.

10. On 28 June, I wrote to the President of the Security Council calling for the deployment of a multinational force, under the lead of a Member State, to reverse Liberia's drift towards total disintegration. I later requested the United States Government to consider spearheading the deployment of that force. At a summit meeting held at Dakar on 2 July, ECOWAS leaders decided to deploy a vanguard force to Liberia to help to stabilize the security situation and facilitate the handover of power by President Taylor. The United States subsequently announced that it would position a military force off the coast of Liberia to support the deployment of ECOWAS forces but that its role would be limited in time and scope.

11. On 8 July, I informed the Council of my decision to appoint Jacques Paul Klein as my Special Representative for Liberia. In a further letter dated 29 July to the President of the Security Council, I outlined a three-phased deployment of international troops to Liberia, which would include an ECOWAS vanguard force, followed by a reinforced multinational force, which in turn would be relieved by a United Nations peacekeeping operation. At an extraordinary summit in Accra on 31 July, ECOWAS leaders decided that the deployment into Liberia of the ECOWAS vanguard force would begin on 4 August. As mentioned above, on 1 August the Security Council adopted resolution 1497 (2003), authorizing the establishment of a multinational force in Liberia and declaring its readiness to establish a follow-on United Nations stabilization force to be deployed no later than 1 October 2003.

12. The deployment of the first elements of the ECOWAS Mission in Liberia (ECOMIL) began on schedule on 4 August. Since then, approximately 3,500 soldiers, comprising two Nigerian battalions, one battalion from Guinea-Bissau and companies of varied size from the Gambia, Ghana, Mali, Senegal and Togo have been deployed to Monrovia and its surroundings. A contingent from Benin is expected shortly. In accordance with resolution 1497 (2003), the United Nations Mission in Sierra Leone (UNAMSIL) provided support for the initial deployment of ECOMIL. The United States Government also provided support for ECOMIL and positioned a task force of over 2,000 marines off the coast of Liberia.

13. On 11 August, President Taylor handed over power to Vice-President Moses Blah and, at the invitation of the President of Nigeria, Olusegun Obasanjo, left Liberia for Nigeria. The handover ceremony was witnessed by several African leaders, including the President of Mozambique, Joaquim Chissano; the current chairman of the African Union, the President of Ghana, John Kufuor; the current chairman of ECOWAS, and the President of South Africa, Thabo Mbeki.

14. On 17 August in Accra, my Special Representative negotiated the conclusion by the Liberian parties of an agreement on the distribution of humanitarian aid and assistance in Liberia. Under the agreement, the parties undertook to provide free and unimpeded access for humanitarian actors and to guarantee the security and safety of all humanitarian actors in Liberia.

15. On 18 August, at the peace talks in Accra, a Comprehensive Peace Agreement was signed by the parties. My Special Representative for West Africa, Ahmedou Ould-Abdallah, and other high-level representatives of key regional and international partners, played an important supportive role in the negotiations leading to that Agreement. The Agreement declared an immediate end to the war and provided for the establishment of a National Transitional Government of Liberia that would take over from the interim Government headed by President Blah by 14 October 2003. The primary responsibility of the National Transitional Government is to ensure the implementation of the Peace Agreement, including preparation of elections to be held in October 2005; the elected government would come into power in January 2006. On 21 August, Gyude Bryant, a Monrovia businessman and head of the Liberia Action Party, was appointed as Chairman of the National Transitional Government, and Wesley Johnson, an opposition politician and university lecturer, was appointed Vice-Chairman. Under the Peace Agreement, the parties are to immediately disengage and comply with the ceasefire agreement of 17 June and ECOWAS is called upon to immediately establish a multinational force that would secure the ceasefire, assist the transitional government in the implementation of the Agreement, create a zone of separation between the belligerent forces and provide a safe corridor for the delivery of humanitarian assistance. The parties to the Agreement also committed themselves to ensuring the presence of security guarantees for the safe return and resettlement of refugees and internally displaced persons. By the Agreement, the parties also requested the United Nations to deploy a force to Liberia under Chapter VII of the Charter of the United Nations to support the National Transitional Government and assist in the implementation of the Peace Agreement.

16. The Agreement also calls for the establishment of the Joint Monitoring Commission provided for in the ceasefire agreement of 17 June to supervise and monitor its implementation. The United Nations will be represented by a senior military officer. The early establishment of the Commission is an essential element in creating the confidence necessary for long-term stability.

17. Other key provisions of the Peace Agreement include (a) the commitment of the parties to the prompt implementation of a process of cantonment, disarmament, demobilization and reintegration; (b) a call for the establishment of an Implementation Monitoring Committee to ensure the effective and faithful implementation of the Agreement; (c) the establishment of a Truth and Reconciliation Commission and a proposal that the National Transitional

Government consider a general amnesty for persons involved in military activities during the Liberian civil conflict.

18. Liberian women participated in the peace talks in Accra. Some were concerned, however, at the inadequate representation in the delegations. A strategic planning meeting was held on 15 August 2003 to analyse lessons learned at the talks and to form strategies for the inclusion of women in decision-making during and after the transitional period, including all components of the Government of Liberia and in all structures leading to the post-conflict peace-building phase. As a result of the deliberations, they prepared the Golden Tulip Declaration, which sets out their priorities for the peace process and reconstruction period, and decided to establish a follow-up committee to ensure women's full participation in post-conflict reconstruction and nation-building.

19. On 27 August, an ECOWAS ministerial delegation led by the Minister for Foreign Affairs of Ghana, Nana Akufo-Addo, briefed the Security Council on the Peace Agreement. The delegation stressed that, in implementing the Agreement, special attention should be accorded to three important issues, namely (a) the demobilization and reintegration of the various armed groups that have been moving freely within the Mano River Union countries, including several thousand nationals of other West African countries; (b) curbing the proliferation of small arms and light weapons in the subregion; and (c) reviewing the current regime of sanctions against Liberia.

IV. Assessment mission

20. In order to prepare recommendations regarding the size, structure and mandate of the follow-on United Nations peacekeeping operation requested by the Council in resolution 1497 (2003), I dispatched a multidisciplinary assessment mission to Liberia, led by my Special Representative. The mission began its work in Monrovia on 21 August, and comprised representatives from several Secretariat departments and United Nations agencies, funds and programmes, as well as the World Bank. The mission held meetings with relevant stakeholders in Liberia, and members of the mission travelled to accessible parts of the country.

21. In the course of the assessment mission, my Special Representative also conducted consultations with regional leaders. From 24 to 29 August, he met with the President of Côte d'Ivoire, Laurent Gbagbo; the President of Sierra Leone, Ahmad Tejan Kabbah; and the Prime Minister of Guinea, Lamine Sidime; as well as other senior government officials, members of the diplomatic community, the Commander of the French forces in Côte d'Ivoire, the Prosecutor of the Special Court for Sierra Leone and United Nations officials. On 1 September, he met in Monrovia with the Minister for Foreign Affairs of Nigeria, Oluyemi Adeniji, during the visit there of President Olusegun Obasanjo and the Minister. All interlocutors commended the United Nations peace efforts in Liberia and pledged full cooperation with the future United Nations peacekeeping operation.

V. Security situation

22. With the recent political and military developments in Monrovia, the security situation in the country continues to improve. Liberia remains highly unstable, however, as armed groups, militia and criminal elements operate throughout the country. While there are no exact figures regarding the strength of the various armed groups, government forces are estimated to consist of some 20,000 to 30,000 elements, comprising armed forces of Liberia soldiers, militia formed outside the armed forces around local leaders and including a large number of child soldiers, and elite paramilitary personnel. The Government controls the greater Monrovia area and the centre of the country. The LURD rebel movement is estimated to have a strength of some 5,000 fighters concentrated primarily in western Liberia, while MODEL, which has an estimated 1,500 to 3,000 fighters, is operating in eastern parts of the country.

23. Since the conflict in Liberia started in 1989, many armed elements and criminal gangs have been moving unimpeded in and out of Liberia and the neighbouring countries of Côte d'Ivoire, Guinea and Sierra Leone. The armed groups generally have weak command and control mechanisms and poor communication systems, but have contributed considerably to the instability of the entire subregion. Furthermore, widespread population displacement, poverty, high unemployment and a proliferation of small arms compound the insecurity.

24. Judicial institutions throughout Liberia have suffered an almost complete breakdown as a result of years of violent conflict and the disregard of the Taylor Government for the rule of law. The Liberian national police is said to have functioned more as an instrument of repression than as an enforcer of law and order. Its 3,500 officers lack training and have not been paid since early 2002. Corruption has been endemic. Similarly, the judiciary sometimes does not enjoy public confidence and has suffered from corrupt practices and political interference. Most courts are not functioning and much of the infrastructure has been destroyed or looted. It also appears that various prisons throughout the country are empty and dilapidated, and that former prisoners are on the loose.

25. Despite the parties' declared commitment to respecting the provisions of the Peace Agreement and supporting an international military presence, the high level of suspicion among the parties, continuing attempts to consolidate territorial gains, and the presence of criminal elements add to the volatility of the situation.

VI. Human rights situation

26. The armed conflict in Liberia has also resulted in serious violations and abuses of human rights and humanitarian law, including deliberate and arbitrary killings, disappearances, torture, widespread rape and sexual violence against women, girls and young boys, arbitrary arrests and detention, forced conscription, recruitment and use of child soldiers, systematic and forced displacement, and indiscriminate targeting of civilians. Of the estimated 250,000 people who have lost their lives in war-related circumstances since 1989, at least half were civilian non-combatants. There are eyewitness accounts of massacres of civilians and reports of mass graves, some dating back to the early 1990s. All sides have been responsible for violations

and abuses. Torture was widely used by all parties to the conflict. Government militias, police and paramilitary units are known to maintain torture chambers.

27. The conflict militarized Liberian society with a proliferation of militia groups that lacked any statutory command and control structures. Children were forcibly recruited and constituted a substantial portion of the fighting forces on all sides. Estimates indicate that one out of every 10 children may have been recruited at some time or another into the war effort.

28. There has been a severe deterioration and gradual attrition of the institutions for the protection and promotion of human rights and the rule of law. As noted above, the police and judiciary have been severely degraded. In these circumstances, extortion has become institutionalized. Civil society is extremely weak and lacks the resources and capacity to be effective.

29. For several years, Liberia has been a focus of attention for the Committee on the Elimination of Racial Discrimination and human rights special procedures. In December 2002, an independent expert appointed under the confidential (1503) procedure visited Liberia and submitted a report, which was subsequently made public. The Commission on Human Rights at its fifty-ninth session appointed an independent expert on Liberia to facilitate cooperation between the Office of the United Nations High Commissioner for Human Rights and the Government by providing technical assistance and advisory services. In August 2003, the Acting High Commissioner submitted an emergency report on Liberia (E/CN.4/2004/5) to the Commission, calling attention to the grievous deterioration of the human rights situation and urging international support in bringing perpetrators to justice irrespective of their position and status. Since the signing of the Peace Agreement, a number of human rights assessment missions have been conducted in some of the parts of the country that have recently become accessible. The Office of the High Commissioner has been supporting a protection programme implemented by the United Nations Development Programme (UNDP) to improve security in camps for internally displaced persons. By means of that programme some monitoring mechanisms were established and maintained in the camps, including the posting of 20 monitors there.

VII. Humanitarian situation, recovery and development issues

30. Liberia's protracted conflict has had terrible consequences for the civilian population, including the Sierra Leonean and Ivorian refugees as well as third-country nationals who had sought asylum in the country. Nearly 1 million Liberians, or a third of the population, are displaced. In addition to some 500,000 internally displaced persons, about 300,000 Liberians are refugees in neighbouring countries. Some 50,000 refugees from Sierra Leone and Côte d'Ivoire remain in the country. The recent spread of fighting to Monrovia further aggravated the situation, as internally displaced persons and refugees were subjected to repeated abuse and most urban residents were made vulnerable. Civilians were not only the accidental victims of the fighting but also direct targets of armed groups who unleashed a campaign of terror against them. The evacuation in June 2003 of most international aid personnel left the civilian population with virtually no international protection or support. Despite the situation, United Nations national staff continued essential humanitarian interventions.

31. The cumulative impact of the conflict has further reduced the already declining living standards of Liberians throughout the country. Liberia is one of the world's poorest countries, with high illiteracy rates and an unemployment rate of 85 per cent. The national debt is $2.8 billion, and over 75 per cent of the population lives below the poverty line. Even before the most recent upsurge in conflict, only 26 per cent of the population had access to safe drinking water and less than 40 per cent had access to acceptable standards of sanitation. Fewer than 50 per cent of children of primary school age were enrolled in school. UNAIDS does not currently have data on the prevalence of HIV/AIDS infection in Liberia, but conflict and post-conflict environments are considered high-risk areas for the spread of the pandemic.

32. On 11 August, following the deployment of ECOMIL, the Deputy Emergency Relief Coordinator, Carolyn McAskie, led the United Nations country team back to Monrovia. The presence of United Nations international staff in Liberia has grown over the past month to more than 170. Since returning, the humanitarian community is giving immediate priority to conducting simultaneous rapid assessments and emergency interventions, particularly in the food, health, nutrition, water and sanitation, education and protection sectors.

33. The World Food Programme (WFP) and its partners have helped to stabilize the food security situation in Monrovia and are currently extending distributions to accessible counties outside Monrovia. The general distributions and gradual resumption of commercial activities have reduced hunger in Monrovia and contributed to addressing the needs of severely malnourished children and other vulnerable groups. The first round of food distributions to over 400,000 internally displaced persons in Monrovia has been completed. Under the leadership of the World Health Organization (WHO) and in close collaboration with the United Nations Children's Fund (UNICEF) and non-governmental organizations in the health field are intensifying efforts to manage and prevent disease outbreaks, including a cholera epidemic, which has been a serious concern particularly in the overcrowded centres for the internally displaced in Monrovia. The situation has now been stabilized and the number of new cases is decreasing as the camps for internally displaced persons gradually become less congested and sanitary and hygienic conditions improve. The serious reproductive health problems which accompany large-scale population movements are being addressed by the United Nations Population Fund (UNFPA) and non-governmental organizations. Health and nutrition services are also being extended to counties outside Monrovia, following assessments. Meanwhile, UNICEF is leading efforts to address the critical water and sanitation situation in Monrovia, where 5,000 wells have been chlorinated. Elsewhere in the country, UNICEF is vaccinating vulnerable populations against measles and launching a back-to-school campaign. The International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR) have taken the lead in assisting with shelter and relief supplies to the internally displaced persons as UNHCR also responds to the needs of refugees.

34. Since the signing of the Comprehensive Peace Agreement, protection issues have continued to dominate the concerns of internally displaced persons and the general civilian population. A Protection Steering Committee, chaired by the Office for the Coordination of Humanitarian Affairs on behalf of the Humanitarian Coordinator, has been established to raise awareness of the issue and coordinate response to the situation. A Joint Monitoring Committee, which was established

under the UNDP-funded protection programme, has been reinforced to undertake monitoring and reporting activities, which will form the basis for a more comprehensive response in respect of issues such as sexual and gender-based violence, protection of internally displaced persons, forced recruitment and other human rights violations. The proposal to deploy a senior protection adviser in the Office of the Humanitarian Coordinator could further enhance linkages with child protection activities led by UNICEF, and continue to draw from UNHCR protection experience with refugees. The adviser will also support a collective United Nations system-wide approach in implementing protection programmes.

35. It is expected that the majority of internally displaced persons will, for the time being, remain in camps and will be dependent on aid for months to come. Their decision to return to their places of origin will largely depend on progress in the peace process and the deployment of peacekeeping troops throughout the country. United Nations agencies and non-governmental organization partners are developing strategies for an effective response to the situation of these persons, including efforts to relocate those in Monrovia to their previous camps in the outskirts of the city. As the huge internally displaced populations cannot yet return to their areas of origin, the humanitarian effort needs to concentrate on the protection and assistance of those populations living in temporary camps and centres. In this regard, UNHCR has provided ECOMIL with logistical and other support to secure refugee and internally displaced person camps. Furthermore, UNHCR has offered its expertise to assist with the registration of the internally displaced persons. A feasibility study to that effect is being undertaken in collaboration with WFP. A registration exercise would not only provide urgently needed baseline data for humanitarian relief, but would also help at a later stage to deliver and target reintegration assistance effectively in the areas of return.

36. In the meantime, amid the conflict, UNHCR successfully organized an emergency evacuation and repatriated 2,000 Sierra Leonean refugees from Monrovia by sea. It has since restarted other operations. Several hundred refugees from Sierra Leone who had fled the camps in the outskirts of the city to seek shelter in central Monrovia have been assisted to return to their camps. At the same time, those Sierra Leonean refugees who wish to do so are being encouraged to return to Sierra Leone. For that purpose, UNHCR is running a vessel between Monrovia and Freetown and expects to begin repatriation by land soon. UNHCR is also preparing to resume, once access is regained to the area, assistance to the 38,000 Ivorian refugees and 43,000 Liberian returnees who fled to eastern Liberia following the outbreak of fighting in Côte d'Ivoire late in 2002. In addition, UNHCR foresees the return of 300,000 Liberian refugees once security and resettlement conditions have been met inside Liberia. Whatever is done at this stage has direct implications for UNHCR in this regard.

37. In all these efforts, securing safe access to beneficiaries, wherever they are, remains a challenge for the humanitarian community, as well as ensuring that beneficiaries have access to basic social services. The deployment of ECOMIL has improved the security situation in the greater Monrovia area, and agencies have been able to make useful contacts with the leadership of the rebel groups to initiate programmes in areas they control. The signing of an agreement on the delivery of humanitarian assistance by the parties in Accra on 17 August has also helped in negotiations to expand humanitarian access beyond Monrovia. However, the

security vacuum in most of these locations continues to hamper efforts to fully re-establish humanitarian activities.

38. Effective coordination is a top priority in the current environment of tenuous security, limited resources and diverse needs. In August, I designated Ross Mountain, Assistant Emergency Relief Coordinator, as Special Coordinator for Humanitarian Assistance in Liberia, to provide overall direction and management of the United Nations humanitarian programme in Liberia. A comprehensive structure involving all humanitarian actors — United Nations, international and national non-governmental organizations, the Red Cross Movement and donors — has been established and access negotiations with LURD, MODEL and the Government of Liberia have permitted agencies to start operations. The Office for the Coordination of Humanitarian Affairs has reinforced its presence to facilitate intersectoral coordination, lead cross-line missions outside Monrovia, promote civil-military communication, and establish humanitarian operations and information centres. Agencies have also taken advantage of the presence of the multidisciplinary assessment mission to discuss issues of mutual concern and map out areas of cooperation and support between the humanitarian actors and the proposed United Nations peacekeeping operation. Other common services for the humanitarian community have been attached to the Office of the Special Coordinator for Humanitarian Assistance, under the leadership of WFP, including a joint logistics centre, a humanitarian air service, and information communications technology support.

39. The priorities of humanitarian agencies in the short term are to continue life-saving interventions in Monrovia, to work towards maximizing the protection of civilians against violence, to accelerate efforts to re-establish relief operations upcountry, including areas currently under the control of LURD and MODEL, and to continue voluntary repatriation and other assistance to refugees and returnees.

40. To ensure effective response to these needs, adequate and timely funding will be crucial. Donors have so far been generous in providing start-up resources for life-saving activities, but more will be needed quickly to sustain and expand the efforts. An urgent response to the revised United Nations Consolidated Inter-Agency Appeal of July 2003 for $69 million is required. The Appeal focuses on activities in the vital sectors of food aid, agriculture, health, family shelter, non-food assistance, education, protection, coordination and support services, refugee and returnee protection and assistance, water and sanitation, multisector interventions and staff safety and security. A Consolidated Inter-Agency Appeal for 2004 will be launched at the end of the year, further elaborating the common humanitarian action plan, including immediate support to the disarmament, demobilization and reintegration programme, resettlement of internally displaced persons and repatriation and reintegration of refugees.

41. In the medium term, the focus will shift to rehabilitation, resettlement and reintegration efforts in preparation for longer-term reconstruction and development. The United Nations intends to support the National Transitional Government of Liberia in developing a broad peace-building and recovery framework that will include a medium-term strategy for rebuilding State institutions, economic recovery, employment generation, reintegration of ex-combatants, internally displaced persons and war-affected communities, and reconciliation. Ultimately, the safe and

sustainable return of refugees and other displaced persons is of critical importance in consolidating the peace process.

VIII. Disarmament, demobilization and reintegration

42. One of the greatest challenges in Liberia and the neighbouring countries is the presence of thousands of combatants, including children, of various nationalities. Successful disarmament, demobilization and reintegration of all of those ex-combatants will be crucial to sustainable peace and security. It is estimated that Liberia has some 27,000 to 38,000 combatants, many of whom are children. The success of the national disarmament, demobilization and reintegration process will ultimately rest, however, on the political will of the warring parties to comply with the terms of the Peace Agreement and to commit themselves fully to the peace process.

43. All stakeholders, particularly the National Transitional Government and all other Liberian parties, ECOMIL, the proposed United Nations peacekeeping operation, UNDP, the World Bank, UNICEF, UNHCR, WHO, WFP and non-governmental organization partners must coordinate efforts to develop an effective disarmament, demobilization and reintegration programme that would identify a clear division of labour. Adequate and secure funding will be required for maintaining cantonment sites, supporting ex-combatants and their families during the process, transporting them, and providing cash and other incentive packages to encourage them to disarm and demobilize. Priority should also be given to resource allocation for rehabilitation and reintegration programmes and a long-term commitment from donors to ensure the sustainability of these efforts. Lessons learned, particularly in this subregion, highlight the disastrous consequences of unsustained support for disarmament. Of particular concern is the possibility of renewed recruitment by armed groups of demobilized children. In view of their numbers and specific problems, a separate disarmament, demobilization and reintegration programme should be in place for children, particularly girls.

44. In the cantonment sites, the combatants should be disarmed and demobilized by the United Nations peacekeeping force, formally interviewed for reintegration suitability and, for some, possible absorption into the national army and civilian police. An identification card, civilian clothes and a partial reintegration package should be issued and ex-combatants should receive medical examinations. Referral arrangements should be made for those who are seriously wounded or sick, pregnant, or with children. Gender and HIV/AIDS awareness programmes should also be available. Accurate and up-to-date information on the numbers, types and locations of forces and armaments, including storage, depot sites, stockpiles and weapons caches is critical for the success of the process.

45. Before reintegration and resettlement programmes are ready, a bridging arrangement, in the form of various stopgap programmes, could be organized through community-based food-for-work projects, for which resettled ex-combatants would be organized into civil reconstruction teams or work brigades and given the task of rehabilitating school buildings, clinics, roads, and culverts and sanitation facilities etc., in coordination with United Nations agencies and non-governmental organizations. Such rehabilitation would be expected to make the resettlement sites habitable and encourage the voluntary return of internally displaced persons and

refugees. It should be noted that most of the combatants in Liberia and the subregion lack formal education, training or work skills. There is therefore an urgent need to provide them with formal education, vocational training, and farming skills as an alternative to bearing arms.

46. Any disarmament, demobilization and reintegration programme should pay particular attention to the needs of child combatants, women among the fighting forces, dependants of combatants, camp followers and abductees. There should be a clear definition of beneficiaries, screening for vulnerabilities should be carried out and interim care facilities should be established to cater to their needs and reintegration. Special measures and programmes should address the gender-specific needs of female ex-combatants, as well as the wives and widows of former combatants. Briefing, counselling and training in programmes for the eventual reintegration of ex-combatants should take into consideration the differences in the experiences during conflict of women and girls, as compared to men and boys. Because of the high rates of sexual violence perpetrated in the conflict, reintegration programmes must include prevention of sexual violence.

47. The Cape Town Principles of 2002, as observed by UNICEF, define a child soldier as any person under 18 years of age who is part of any kind of regular or irregular armed force in any capacity. It is imperative that such child soldiers be admitted to the disarmament, demobilization and reintegration process without the prerequisite of possession of a weapon. Often, fighting forces and factions do not disclose the presence of child soldiers, especially girls, within their ranks, thus preventing them from benefiting from the disarmament, demobilization and reintegration process. Parallel plans, including outreach programmes, must be developed to document, track and provide support to children who may be bypassed by the disarmament process.

48. The Peace Agreement has established a clear timetable for the disarmament, demobilization and reintegration process, which includes a ceasefire and ceasefire monitoring, disengagement, cantonment, disarmament, demobilization, rehabilitation and reintegration. The Agreement also provides for the establishment of a coordination mechanism, the National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration, which is to comprise representatives from relevant National Transitional Government agencies, LURD, MODEL, ECOWAS, the United Nations, the African Union and the International Contact Group. The Commission is scheduled to begin its work on 15 November, and cantonment, disarmament and demobilization is scheduled to begin by 15 December. In view of the tight timetable, preparations for the cantonment of combatants would need to start immediately, while peacekeepers are being deployed throughout Liberian territory and the various stakeholders are designing plans and securing resources for the disarmament, demobilization and reintegration programme.

49. In view of the subregional dimensions of the conflict, any disarmament, demobilization and reintegration programme for Liberia should be linked, to the extent possible, to the ongoing disarmament, demobilization and reintegration process in Côte d'Ivoire and benefit from lessons learned in Sierra Leone and other peace initiatives in the region that take into account the reintegration needs of internally displaced persons and war-affected communities. Consequently, an effective programme should also form part of a strategy directed towards the

political and economic recovery of the Mano River Union countries and the wider West African subregion. For the planned disarmament, demobilization and reintegration process in Liberia to succeed, a subregional approach which takes into account the presence of foreign combatants in Liberia and Liberian ex-combatants in neighbouring countries would be essential. Special attention should be given to young people and other vulnerable groups by a multi-country approach. Ultimately, failure to adequately plan for and implement the various stages of disarmament, demobilization and reintegration, including obtaining timely and adequate funding, would jeopardize the entire peace process and destabilize Liberia and the entire subregion. During a visit to United Nations Headquarters in August, an ECOWAS ministerial delegation called for financing for the reintegration elements of the disarmament, demobilization and reintegration process to be included in the budget of the proposed peacekeeping mission. I support the need for these vital provisions to be included in the budget of the planned operations, in addition to the operational disarmament and demobilization requirements.

50. Finally, effective weapons management in the long term will also require a comprehensive national policy for the demilitarization of civilians. Such a policy should include a clear national legal framework for civilian ownership and possession of permitted weapons and prohibition of proscribed weapons; effective enforcement mechanisms; impartial law enforcement and an independent judicial system; control of inter-State transfers through customs controls, such as export and import permits; regional cooperation on weapons management, including the induction of a moratorium on the transfer of specific categories upon the expiration of the United Nations-mandated arms embargo on Liberia. The proliferation of small arms and light weapons in the subregion is a matter of serious concern, in particular as it relates to the phenomenon of youth violence. Well-planned and executed national disarmament efforts will ultimately prove futile if no attention is paid to cross-border arms flows. Cutting off supply routes within the West African subregion for the illegal flow of small arms, explosives and ammunition and preventing illegal flows of arms into the subregion would have to be part of the disarmament and demobilization exercise.

IX. Proposed United Nations mission in Liberia

A. Mandate

51. As envisaged by resolution 1497 (2003) and the Comprehensive Peace Agreement of 18 August 2003, I recommend the establishment of a multidimensional United Nations peacekeeping operation in Liberia, the United Nations Mission in Liberia (UNMIL). On the basis of the findings of the multidisciplinary assessment mission, I recommend that the mandate of the mission, under Chapter VII of the Charter, include the following:

(a) To support the National Transitional Government of Liberia and the other parties in the effective and timely implementation of the Comprehensive Peace Agreement of 18 August 2003;

(b) To monitor adherence to the ceasefire agreement of 17 June 2003, in accordance with the provisions of that agreement;

(c) To assist the National Transitional Government in extending State authority throughout Liberia;

(d) To provide security at key government installations, in particular ports, airports and other vital infrastructure;

(e) To ensure the security and freedom of movement of United Nations personnel;

(f) To facilitate the free movement of people, humanitarian assistance and goods throughout Liberia and across its borders;

(g) To support the safe and sustainable return of Liberian refugees and internally displaced persons and to support the provision of assistance and protection for Sierra Leonean and Ivorian refugees in Liberia by ensuring a secure environment for their return;

(h) To protect civilians under imminent threat of physical violence in the areas of immediate deployment of United Nations formed military units;

(i) To advise, train and assist the Liberian law enforcement authorities and other criminal justice institutions, including the judiciary and corrections systems, and facilitate bilateral and multilateral assistance;

(j) To assist the National Transitional Government in the implementation of a disarmament, demobilization and reintegration programme;

(k) To guard weapons, ammunition and other military equipment collected from ex-combatants and to assist in their subsequent disposal or destruction;

(l) To assist the National Transitional Government with preparations for elections;

(m) To monitor and report on the human rights situation and provide training and capacity-building in the field of human rights and child protection;

(n) To provide support for gender mainstreaming, including training in gender issues;

(o) To support the establishment and operations of the Truth and Reconciliation Commission;

(p) To cooperate with ECOWAS, the African Union and United Nations political and other presences in the West African subregion on cross-cutting political and security issues of particular relevance to peace consolidation in Liberia.

52. The holding of free and fair elections by October 2005 and the installation of a democratically elected Government in January 2006 would be very important milestones in the peace process in Liberia. The exit strategy for the Mission should however be based on precise and realistic benchmarks relating to progress in the consolidation of peace, to be defined in due course.

B. Structure and concept of operations

53. The United Nations Mission in Liberia would be a multidimensional operation composed of political, military, civilian police, criminal justice, civil affairs, human rights, gender, child protection, disarmament, demobilization and reintegration,

public information and support components, as well as an electoral component in due course. The Mission would include a mechanism for the coordination of its activities with those of the humanitarian and development community. UNMIL would coordinate closely with ECOWAS and the African Union. In order to ensure a coordinated United Nations response to the many subregional issues, UNMIL would also work closely with UNAMSIL, the United Nations Mission in Côte d'Ivoire (MINUCI) and the United Nations Office for West Africa. The Mission would be headed by my Special Representative, who would have overall authority for the activities of the Mission and of the United Nations system in Liberia. The Special Representative would be assisted by a senior management team consisting of, among others, two Deputies, a Force Commander with the rank of Lieutenant General, and a Police Commissioner.

54. A senior gender adviser, with staff, will be part of the Office of the Special Representative of the Secretary-General to undertake and support gender mainstreaming within the various pillars of the Office and with civil society and other external partners. An HIV/AIDS policy adviser, with supporting staff, will also be attached to the Office of the Special Representative, to coordinate activities in the Mission area for the prevention of HIV transmission among civilian and military personnel and host communities.

C. Political component

55. The political component of the Mission will provide political advice and assessments to the Special Representative and assist him with contacts with Liberian parties, including civil society organizations; address any political issues which may arise in the implementation of the Mission's mandate; maintain close liaison with ECOWAS, the African Union and with United Nations political presences in the subregion; keep abreast of all political developments which may have an impact on the implementation of the Mission's mandate; provide daily and other reports to United Nations Headquarters; assist in the coordination of activities and information sharing with the United Nations country team, as appropriate; and provide inputs, as appropriate, for the dissemination of public information of a political nature.

D. Military component

56. The primary task of the military component will be to create a secure and stable environment throughout Liberia to enable the Mission to accomplish the mandate outlined above. Specific tasks will include providing support for disarmament, demobilization and reintegration, monitoring the terms of the ceasefire agreement including human rights violations, facilitating humanitarian relief efforts, protecting civilians from violence, establishing the conditions for a safe and sustainable return of refugees and internally displaced persons, supporting the National Transitional Government, supporting the creation of conditions under which elections can be held and eventually supporting those elections, supporting quick-impact projects, in liaison with the humanitarian community, and monitoring Liberia's borders. In the Comprehensive Peace Agreement the United Nations force, together with ECOWAS and the International Contact Group on Liberia, is also requested to provide advice and support to the National Transitional Government on the formation of a new and restructured Liberian army. While UNMIL would be

prepared to provide advice in this regard, the Liberian parties in the Peace Agreement requested that the United States play a lead role in the restructuring of the army. I believe it would be very helpful if the United States would assume this critical role.

57. In planning the structure and deployment of the United Nations force, emphasis has been placed on incorporating the lessons of past deployments when insufficient and inadequately equipped troops were deployed for peacekeeping duties with disastrous consequences. The proposed concept of operations has been structured on the assumptions that the recommended size and capabilities of the force reflect a thorough analysis of what is required to execute the tasks, and that the full force is deployed from the outset with a robust mandate and adequate resources, particularly in terms of the need for well-trained and equipped troops. This will enable the Mission to take a robust approach, to have the capacity to react adequately to changing circumstances and pre-empt potentially destabilizing events.

58. The concept of operations for the military component consists of a preliminary phase in the form of the ongoing ECOMIL deployment and the United States military capabilities positioned off the coast of Liberia, and four subsequent phases of United Nations induction. Of these, the first phase of deployment, which covers the period from 1 October until the force headquarters is operational on 1 November 2003, will include the establishment of an interim headquarters, the transition of ECOMIL elements to UNMIL and the deployment of logistic assets and other key capabilities such as engineers and aviation. This phase of deployment will constitute an "initial operating capability" and the first step towards the main deployment. The objective of this phase is to lay the foundations for the following phases and it is unlikely to include any major expansion in the number of troops. Consequently, there is little likelihood of increasing the operational deployment much beyond the general area of operations currently covered by ECOMIL. Nonetheless, there is likely to be an expectation that the newly established United Nations force will project its operations into other parts of the country in support of the broader objectives of the international community. It should be noted, however, that at the initial stage the United Nations capability to do so will be very limited, and will be dependent on certain key assets, such as military air assets, being deployed early. It will also be constrained by issues of force protection and logistic sustainability.

59. During this first phase of "initial operating capability", there will be a requirement to allow ECOMIL headquarters to play the role of brigade headquarters for the Monrovia sector. The interim United Nations headquarters must not only be capable of assuming responsibility for military operations, but must also act as a key element in the transition to the main force headquarters when it deploys. It will draw on some ECOMIL personnel but it will need augmentation, possibly drawing temporarily on key staff from other United Nations missions and other sources. Given the fact that ECOMIL is thinly spread in its current deployment and that the United States has declared its intention to withdraw its forces in whole or in part by 1 October, it is essential that a credible military reserve is established as quickly as possible. In this regard, it may become necessary to draw upon resources from UNAMSIL until such time as sufficient troops have deployed to Liberia. An over-the-horizon capability of one or more Member States with the required military capabilities would also be highly desirable in the potentially fragile period of the Mission's initial establishment. Such a capability would also serve to strengthen the confidence of troop contributors, and I call on Member States with the necessary

capacity to assist in this respect. Finally, the initially limited number of United Nations troops on the ground will necessitate the rapid deployment of certain key assets such as attack helicopters.

60. The second phase of the concept of operations covers the period after 1 November 2003, and the establishment of "transitional operating capability" as the force expands and deploys into four sectors, including the existing one in Monrovia, each sector containing a brigade-size formation of approximately 3,000 troops. Those ECOMIL contingents with the appropriate level of capability which will have transitioned to the United Nations force will constitute a brigade that will operate in the Monrovia area. Those troops currently on the ground that cannot meet the necessary level of capability would be potentially vulnerable and could jeopardize the overall effectiveness of the force. Every effort should therefore be made to help them to achieve the required capability but, in the event that this is not possible, they would have to be repatriated to be replaced by well-equipped forces.

61. The proposed sectors and force levels have been defined by a number of factors which include the centres of gravity of each of the three main Liberian parties, the need to monitor the border areas, areas of humanitarian priority, administrative boundaries, lines of communication and the need to have a balanced deployment throughout the whole country. In addition to the four brigades, there is a requirement for a properly constituted reserve and key assets such as logistics, aviation and engineers which will bring the total strength of the force to 15,000, including 250 military observers and 160 staff officers. Particular emphasis is placed on the military observers whose role in monitoring the terms of the Comprehensive Peace Agreement, monitoring the borders and acting as a point of contact for matters relating to the work of the Joint Monitoring Commission and disarmament, demobilization and reintegration will be fundamental to ensuring success. Every effort will be made to ensure good representation of women in the uniformed personnel components of the Mission. Deployment will commence with the three additional brigade headquarters, their lead battalions and support elements and will be followed by the remaining battalions as quickly as possible. It is expected that the full force will not be complete until approximately March 2004.

E. Criminal justice component (police, judicial and corrections)

62. The Peace Agreement calls for the immediate restructuring of police and other security services, maintenance of law and order by an interim police force, eventual deployment of a newly trained national police force and the resignation of all Justices of the Supreme Court. Under the Agreement the United Nations is also requested, among other things, to monitor the activities of the interim police force, assist in the maintenance of law and order, and help to develop and implement police training programmes, including gender training.

63. Experience in past peacekeeping operations indicates that, in order to establish sustainable peace and internal security, police, justice and correctional issues must be addressed in an integrated fashion. I therefore recommend the inclusion in the proposed Mission of a robust civilian police component, inclusive of judicial and corrections elements. These components will work alongside national and international actors as they assist in rebuilding national criminal justice institutions. In most instances, international police, judicial and corrections experts should be co-

located with their counterparts in national institutions. All the institutions in the criminal justice sphere will require substantial support from the National Transitional Government of Liberia, UNMIL, and the wider international community in order to resume even basic functioning.

64. In addition, UNMIL civilian police and prosecutorial experts will have to work together with their Liberian counterparts, where appropriate, to help investigate serious violations of international humanitarian law or other serious crimes. For this reason, in order to gather and preserve evidence early on while it is still possible, I recommend the establishment of a crime investigation capacity within UNMIL, including officers trained in gathering testimony from children and women, mandated to support investigations and to turn collected evidence over to Liberian or other authorities, including to prosecutors of the Special Court for Sierra Leone.

Civilian police

65. Until a newly trained and restructured Liberian national police service is deployed, the Peace Agreement provides that maintenance of law and order throughout Liberia will be the responsibility of an interim police force.

66. To address this transition in a transparent, credible and efficient manner, the UNMIL civilian police component will establish a Technical Committee to help determine the composition, selection and vetting of would-be members of the interim police force. The Committee will also develop a plan for restructuring and reorganizing the Liberian national police. Subcommittees could focus on areas of potential reform, including (a) police restructuring, and any revision of the legal framework governing the police; (b) establishment of the criteria for the selection and vetting of new and former police officers; (c) assessment of infrastructure and logistical needs and planning renovations or repairs; and (d) development of an office to coordinate international assistance to the police service. The UNMIL civilian police component could also provide advisory and other support to the Technical Committee as it undertakes the many tasks that will come before it.

67. A robust UNMIL civilian police component will be gradually deployed in phases to provide advice and operational support to the interim police force and to help restructure, train, and advise in the development of a professional Liberian national police. The concept of operations for civilian police consists of four phases. The first phase will cover the period from 1 October to December. The focus of this phase will be on determining the mission action plans and establishing the foundations for the eventual deployment of the core group of civilian police to assist the interim police force in their law and order functions. Two formed police units will also be deployed during this phase to stabilize the law and order situation in and around the capital city. The second phase, from December to February 2004, will be the deployment of additional civilian police advisers, trainers and an additional three formed police units in the remaining three regional headquarters. Reconstitution and rehabilitation initiatives will commence during this phase. The third phase, from March 2004 to the end of the mission, will principally be a training development phase with a focus on coordinating and integrating all capacity development efforts. United Nations civilian police will retain some core advisers during the final period to help local police carry on the reform and capacity enhancement initiatives.

68. In addition, because of the time needed to establish the new police service, I recommend that the Security Council authorize the deployment of five formed

police units to UNMIL with a mandate (a) to support the interim police force in its law and order functions in several major population areas; (b) to assist the interim police force to address civil disorder problems; (c) to assist in the development of local structure and capacity to meet such challenges in the future; and (d) to act in support of the protection of civilian lives and property in areas of deployment. The presence of the formed police units will support local police operationally, allowing them to concentrate on fast track training initiatives.

69. Other priority tasks for the UNMIL civilian police component will be (a) assisting in the restructuring of the police service, including the vetting and certification of interim law enforcement officers; (b) reactivating the Police Academy and helping to develop general and thematic police training programmes, including mentoring and on-the-job training; (c) advising, reporting and following up on the activities of the interim police force regarding their compliance with professional standards and human rights obligations; (d) assisting in the social reintegration of the disarmed and demobilized combatants into civil society through mutual confidence-building initiatives of community policing practices; and (e) assisting in overall law enforcement capacity enhancement including border policing, customs, immigrations, port authority and other related sectors of the internal security. To ensure sustainability, the UNMIL civilian police component will work closely with UNDP and other development agencies.

70. In order to fulfil these tasks, I recommend that the civilian police component eventually comprise up to 875 unarmed civilian police, including senior advisers, trainers, planners and police experts on human rights, serious crimes and human trafficking investigators and, in addition, five armed formed police units, each comprising 120 officers.

Criminal law and judicial

71. UNMIL should have the capacity to provide substantive assistance focusing on three principal areas, namely, legal and judicial system reform; legal training and education; and legal system advising. UNMIL should also play a central role in coordinating international assistance in the legal and judicial sector.

72. With respect to legal and judicial system reform, a team of UNMIL experts will provide assistance and advice to the various components of the system — including prosecutors' offices, the defence bar, the courts, and the Ministry of Justice. These advisers should, for the most part, be co-located in national institutions with their national counterparts.

73. Another key component of reform and stability is the revitalization of the legal education system, including the university's law school and the continuing legal education or retraining of legal professionals. I recommend the establishment of a specialized unit in UNMIL to undertake initiatives in this regard, utilizing also the assistance of other national and international actors.

74. A third element necessary for effective legal and judicial system reform — and for rebuilding the much-decayed public trust in the system — is a robust legal system advisory programme. The programme will focus on advising both criminal and civil trials and publishing clear recommendations on needed improvements. While the rights of the criminal defendant are to be one focus, the unit will also strive to improve the fair and efficient functioning of the system as a whole, paying

particular attention to the specific needs of children, in accordance with international juvenile justice standards. Although initially run by international experts within UNMIL, the programme will include national legal professionals, and the effort could later be passed on to another national or international body outside UNMIL.

Corrections

75. UNMIL should have the capacity to provide substantive assistance on issues relating to the prison system, focusing on three principal areas: prison reform; training and development of prison service personnel; and prison system monitoring. UNMIL should also play a central role in encouraging and coordinating international assistance for prison system reform and development.

76. A team of correctional system experts will provide assistance, advice and mentoring support to regional institutional and headquarters prison personnel, including administration, human resources and finance, and the Ministry of Justice. They should be co-located in the prison facilities and the headquarters with their national counterparts.

77. The reform and upgrading of the prison system is also vital to the redevelopment of a national training capacity. The deployment of corrections training and development specialists working with national staff to develop a national training plan, develop and deliver training programmes for prison personnel at all levels and develop a national training capacity is recommended. Support for this element would be sought from international agencies, through bilateral arrangements and from Member States.

78. The final element necessary for the development of a humane and secure prison system is the development and implementation of accountability mechanisms. A monitoring programme that focuses on prison conditions and management practices and provides comprehensive reports which contribute to the implementation of a penal reform plan is recommended. International human rights monitors will also participate in them, developing a robust national prison monitoring capacity.

F. Civil affairs component

79. To help create the conditions for a functioning democracy, the Mission would include a significant civil affairs component, which would work closely with the National Transitional Government of Liberia and civil society organizations. The civil affairs component of the Mission would perform the following tasks, among others: (a) assist the National Transitional Government in extending and consolidating State authority throughout the country, in close coordination with other United Nations agencies; (b) provide advice and assistance to the National Transitional Government to the extent possible, inter alia with regard to preliminary planning for elections, including the participation of women; (c) assist and build the capacity of civil society organizations; (d) assist in the formulation of programmes to reintegrate and reconcile victims and perpetrators of the war; (e) assist the civilian police in reforming and restructuring the local police and promoting the participation of women, and auditing the performance of the police and other agencies involved in the maintenance of law and order; (f) coordinate the activities

of a committee charged with investigating and reporting on conduct of personnel throughout the mission area; and (g) carry out induction training for all civilian and military staff of the Mission.

80. Civil affairs officers would be deployed alongside military contingents at the early stage of the establishment of the Mission. This would enable the Mission to support the operation of the National Transitional Government and help to demilitarize Liberian society. Some of the activities of the component would need to be funded through a trust fund and resources in the mission budget for quick-impact projects.

G. Human rights and protection component

81. The United Nations Mission in Liberia, in an integrated and multifaceted manner, would encourage and coordinate international protection efforts and the promotion of human rights in Liberia. The abuse of human rights and the crisis of protection in Liberia have been defining characteristics of the conflict of the last 14 years. Violations against children and sexual and gender-based violence have been particularly widespread. Priority attention would be given to the improvement of the human rights situation and the protection of civilians, including women and children. This component will also support work to address impunity, build national capacity, develop a national human rights strategy and plan of action, establish transitional justice mechanisms, provide human rights education, and create sustainable and resilient institutions for the protection and promotion of human rights. The Comprehensive Peace Agreement provides for the establishment of an independent National Human Rights Commission and a Truth and Reconciliation Commission. These are important institutions for the consolidation of peace based on justice and would be supported as a matter of priority.

82. To these ends, a human rights and protection unit would be established, staffed by experts on human rights, the protection of civilians, national institutions, transitional justice, child rights and gender. The unit will work closely with the military, civilian police and disarmament, demobilization and reintegration components. It would be supported initially by at least two human rights protection monitors posted to each of the four sectors of the Mission's deployment. At full strength, the unit would be supplemented by at least one monitor in each of the 15 counties. Work in this area would be addressed in a coherent, multidisciplinary manner. In addition to monitoring developments on the ground, the unit will focus on both policy development and policy-making on human rights and protection issues, and ensuring that the policies are integrated into the overall political strategy and all operations of the Mission. Accordingly, the human rights protection mandate should include monitoring and publicly reporting on the human rights situation and on humanitarian law, credible robust protection activities, technical cooperation and capacity-building, training for law enforcement officers, government officials and United Nations peacekeepers, advocacy, assistance in implementing international standards, support for the National Human Rights Commission and for transitional justice mechanisms, including the Truth and Reconciliation Commission, and support for the work of the independent expert of the Commission on Human Rights.

83. To ensure that the rights, protection and well-being of children remain a priority throughout the peacekeeping and peace-building phases of the Mission, there would be two child protection advisers. They will assist the Special Representative in advocating against the recruitment and use of children in armed conflict and seek the collaboration of parties to support disarmament, demobilization and reintegration programmes for child soldiers. The advisers would also monitor and report on child protection issues, provide training, and raise awareness among the Mission staff as well as national military and police forces.

H. Disarmament, demobilization and reintegration component

84. In order to provide assistance for the planning and implementation of a disarmament, demobilization and reintegration programme, a senior adviser on disarmament, demobilization and reintegration, with staff, will be attached to the Office of my Special Representative in order to coordinate all efforts in this field. The Senior Adviser will work closely with the National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration, UNDP and other members of the country team, the World Bank and other stakeholders on all aspects of disarmament, demobilization and reintegration. The military component of UNMIL will assist in the actual implementation of the disarmament and demobilization parts of the programme.

I. Public information component

85. Freedom of expression in Liberia has been severely curtailed under successive regimes, and journalists have been subjected to intimidation and threats of physical violence, leaving them with no choice but to impose self-censorship or cease publication. The current media environment is characterized by a virtual collapse of the infrastructure, severely limiting the population's access to information and leaving them prey to rumours and misinformation. In order to help rectify this situation, the United Nations must establish a credible and effective means to communicate its goals to the Liberian people, provide them with accurate information on developments in the peace process and support the efforts of the transitional government in carrying out the provisions of the Peace Agreement, including respect for the right of freedom of expression. A robust public information capacity attached to the Office of my Special Representative should undertake a full range of activities to promote understanding of the United Nations presence and underpin the United Nations role, including humanitarian and developmental activities.

86. Given Liberia's high illiteracy rate, the most efficient way to reach the Liberian population is through radio. Although efforts to strengthen local media structures should be undertaken by the Mission as soon as possible, provision is currently being made to establish an emergency United Nations broadcasting capacity to cover the heavily populated greater Monrovia area, so as to inform Liberians of the establishment of UNMIL and to provide vital humanitarian information during the initial period. This emergency capacity should subsequently be converted to broadcasting capabilities covering the entire country. In addition to United Nations programming, a variety of local programmes could be aired, with the aim of strengthening Liberian media structures.

87. The information component would also include a public outreach unit to support, among other things, disarmament, demobilization and reintegration activities, a media monitoring and development unit and a small video unit. During the period preceding the elections, the component would be expanded to assist in voter education. The information capacity would also open up channels of communication with local, regional and international media outlets. This effort should be well coordinated with the efforts of other United Nations public information resources in Liberia and the region to help increase awareness in donor and regional countries of the needs of the Liberian people and progress towards resolving the crisis.

J. Support component

88. The Mission's support element will create the essential infrastructure to enable my Special Representative to reach the required operational capacity within 90 days after the beginning of the mandate, and to maintain that capacity throughout the different phases of the Mission. The build-up of the operation will continue until March 2004, when the military component will be fully deployed. Mission activity will reach its peak during the preparations for and conduct of free elections.

89. Support to military units operating out of Monrovia and the four sector headquarters will follow United Nations standards for self-sustainment. Civilian police, military observers and civilian staff will be stationed in regional offices and numerous other locations throughout Liberia and will need to be supported accordingly, mainly with office accommodation, security, medical services, communications and transport.

90. The mobility of military and police units will be essential to the success of the Mission. I will therefore request that substantial air assets be made available.

91. Logistical and administrative support to the operation have been planned in a manner that will allow my Special Representative to establish the Mission and his office in Monrovia rapidly with a small advance team, which includes mission planners. The office has been liaising with ECOMIL forces in theatre to lay the ground for a seamless phasing-in of logistical and administrative operations.

92. A pre-mandate financial commitment authority to initiate contracts for critical services, equipment and supplies has been approved by the Advisory Committee on Administrative and Budgetary Questions. Initial requirements for personnel and equipment are being met through the rapid deployment mechanisms that the United Nations has put in place as a result of the recommendations made in the report of the Panel on United Nations Peace Operations (S/2000/809), such as the strategic deployment stocks, and are being moved into theatre by a combination of strategic airlift and sealift. Supplies such as fuel and rations will be drawn from previously concluded systems contracts from other missions until such time as mission-specific supply contracts can be set up.

93. The logistics concept closely and fully integrates the Mission's military and civilian staff. Logistics operations will be controlled and managed under the integrated support services concept, whereby all military and civilian support requirements are pooled for optimal effectiveness and efficiency. Logistics services will be controlled through a Joint Logistics Operations Centre, co-located with the

Mission Joint Operations Centre. Staffing of the joint centres will provide for geographical distribution and a balanced mix between military and civilian personnel.

K. Safety and security

94. While in the Mission area, United Nations staff will be exposed to a variety of considerable hazards and risks. In such an environment, and in the light of the recent attack against United Nations premises in Baghdad, I attach paramount importance to supporting the efforts of staff in carrying out their duties while limiting to the extent possible the risks to their security and safety, in keeping with the position taken by the Security Council in resolution 1502 (2003) of 26 August 2003.

95. Prior to the most recent round of conflict, Liberia was reported to be a country affected by landmines and unexploded ordnance, although few specifics on the scope or impact of the problem were available. Until now, landmines, unexploded ordnance and explosive ordnance have not posed a notable risk to United Nations staff, humanitarian agencies or the public at large in the areas of the country to which the United Nations has had access. As the activities of the United Nations mission and humanitarian actors expand and movements of civilian populations increase, however, it is inevitable that the threat posed by explosive and unexploded ordnance will grow, even if the problem with landmines proves not to be significant. The United Nations Mine Action Service has sent its team to the country to assess the situation and will submit recommendations for future action by the Mission, based on the results of that assessment.

96. Proper security arrangements will have to be established during the very first days of the Mission in Liberia. From the first day it must operate in compliance with the United Nations Minimum Operational Security Standards. The choice of locations, staff accommodation and transit routes and facilities will be determined to a large extent by security considerations. Preparedness and prevention are absolutely essential, as are clear delineation of security responsibilities and adequately staffed security personnel. Buildings and other facilities must be professionally secured, necessary communications systems established and effective procedures implemented and understood by all. The Mission will need to be adequately supported by a sufficient number of security staff, at Headquarters and in all sectors, to implement the minimum operational security standards and to effectively coordinate security management operations between UNMIL and other United Nations and associated organizations operating in Liberia.

97. The Mission will work closely with the United Nations humanitarian and development agencies operating in Liberia and the subregion. The agencies will be provided with security protection and, where possible, the Mission will also provide them emergency logistical support within its means. Prudence will be exercised to ensure that there is no unnecessary duplication of support structures and assets. Cooperative agreements will therefore be put in place to share assets, know-how and other resources, especially in the areas of air and sea transport and communications.

98. The particular health hazards associated with service in the Mission area will be addressed by providing medical coverage in theatre from basic care up to level 3 hospital medical services. It is expected that military units will deploy with a level 1

medical facility per battalion. Adequate medical evacuation capacity will be established.

99. Induction training for all incoming headquarters staff officers and civilian staff will be mandatory and, apart from the main mission brief, will focus on security issues, expected standards of conduct, sensitivity to local culture and risk and stress management. Training will also be provided to those concerned in the concept of integrated logistics.

L. Coordination

100. The various components of the United Nations system in Liberia must develop an integrated understanding of and a common approach to the crisis in the country and its consequences. In this connection, my Special Representative has already started consultations with the humanitarian and development agencies aimed at defining an appropriate coordination mechanism that will ensure an enhanced effectiveness of the United Nations system's response within Liberia and linkages with the regional dimensions. The humanitarian and development agencies have also initiated the process of reviewing the existing coordination mechanisms with the purpose of developing a strong functional relationship between the political, humanitarian and development actors within the United Nations system. Three special liaison officers will be appointed in the Office of one of the Deputy Special Representatives to cooperate closely with the humanitarian and developmental community. In addition, two officers will be appointed to support the coordination functions stemming from the responsibilities as Resident Coordinator.

101. Coordination between UNMIL and ECOWAS and other key international players will also be of critical importance. In addition to initiating the creation of the Implementation Monitoring Committee as envisaged in the Peace Agreement, my Special Representative will explore with ECOWAS, including the Monrovia-based Special Representative of the ECOWAS Executive Secretary, the possibility of setting up a high-level United Nations-ECOWAS coordination mechanism. Such a mechanism will principally aim at addressing potential threats to the peace process and harnessing regional and international support for the implementation of the Comprehensive Peace Agreement.

X. Observations and recommendations

102. The transfer of power from President Taylor to Vice-President Blah and the signing of the Comprehensive Peace Agreement by the Liberian parties offer a unique window of opportunity to end the suffering inflicted on the people of Liberia and to find a peaceful solution to a conflict that has been the epicentre of instability in the subregion.

103. These important developments would not have been possible without the tireless peace efforts made by African leaders, notably President Kufuor, the current chairman of ECOWAS, President Obasanjo of Nigeria, and the ECOWAS mediator, General Abdulsalami Abubakar. I wish to commend them all for their invaluable contributions to the cause of peace and security in Liberia.

104. I would also like to commend ECOWAS leaders for their quick deployment of ECOMIL to Liberia. At the same time, I also wish to express my appreciation to the United States Government for its support to the deployment and operation of ECOMIL, and for positioning significant United States military capabilities off the coast of Liberia. These military contributions have been instrumental in the initial efforts to stabilize the situation in and around Monrovia.

105. The road to lasting peace and security in Liberia is still fraught with multiple and formidable challenges, however. While the United Nations and the international community at large stand ready to support the Liberian peace process, the effective and successful implementation of the Peace Agreement remains the primary responsibility of the Liberian parties themselves. I therefore call on them to continue to support the transitional arrangements they have agreed upon and to fully cooperate with the ECOMIL forces on the ground as well as with my Special Representative and the proposed United Nations peacekeeping mission. I also call upon former President Charles Taylor to abide by the terms of the agreement reached with Nigeria regarding his exile and to disengage completely from Liberian politics.

106. The immediate activation of the Joint Monitoring Commission as well as the early establishment of the Implementation Monitoring Committee would also serve the purpose of securing the continuing commitment of the Liberian parties to implement the Peace Agreement in good faith. Pending the deployment of the proposed United Nations peacekeeping mission in Liberia, additional logistical support should be provided to ECOMIL to enable it to perform its tasks, including the safe delivery of humanitarian assistance. To ensure proper integration with ECOWAS and to assist in building the capacity of this subregional organization, it would be advisable if the proposed mission could provide limited logistical assistance to the expected political presence of ECOWAS in Liberia.

107. The effective functioning of the National Transitional Government of Liberia will be crucial to facilitating the implementation of the Peace Agreement. To enable the National Transitional Government to perform its mandate fully, all Liberian parties and the Liberian people as a whole should make all efforts to ensure national cohesion and promote the process of reconciliation.

108. Once fully established and operational, the National Transitional Government should indicate how it intends to perform the tasks envisaged for it in the implementation timetable of the Peace Agreement. This would enable the United Nations to determine further steps that may be needed to facilitate key aspects of the Peace Agreement, including disarmament, demobilization and reintegration and the disbandment of paramilitary groups, preparations for elections, and post-conflict rehabilitation, reconstruction and recovery. Indeed, substantial resources would need to be mobilized to help the Transitional Government implement relief and recovery programmes, including the return, repatriation and resettlement of internally displaced persons and refugees, by organizing, among other things, a reconstruction conference within a year. I call on Member States to provide all possible political and financial support to the National Transitional Government of Liberia.

109. Enhancing the overall security situation should greatly facilitate freedom of movement for persons and goods, and help to give humanitarian agencies safe and unhindered access to the civilian population in dire need of relief assistance. At the same time, I would like to encourage Member States to respond generously to the

appeals made for humanitarian assistance. Only through timely and generous contributions can the dividends of peace be felt by ordinary Liberians in terms of improvement in basic services, particularly health, education and food security.

110. The gross violations of human rights in Liberia require that special attention be paid to the protection of civilians, in particular the response to the widespread sexual violence against women and children. Furthermore, the early establishment of a functional national capacity for the protection and promotion of human rights and transitional justice mechanisms would greatly help to address the question of impunity and respond to past abuses and violations of human rights, thus facilitating the process of national healing and nation-building. Special efforts should be made to ensure that women and girls are involved in the process.

111. Eliminating the culture of violence in Liberia is an essential prerequisite for ensuring that peace takes root. I cannot overemphasize the need to secure adequate and timely funding for disarmament, demobilization and reintegration, with particular emphasis on identifying predictable funding arrangements for the reintegration component. Unless we address the reintegration problem early and effectively enough, the thousands of disarmed youth, in a dire economic situation, are likely to return to the bush and become hired guns, not only inside the country but also in a subregion already awash with small arms and mercenaries. It is therefore imperative that not only disarmament and demobilization, but also the initial phases of reintegration be funded from the assessed peacekeeping budget. The reintegration programme should be undertaken with a long-term view. Adequate and sustainable resources will be required to ensure its completion.

112. The subregional dimensions of the Liberian conflict, in particular with regard to disarmament, demobilization and reintegration, should be kept under close review because they have the potential to destabilize the entire West African subregion. Particular attention should be paid to the interlinkages between the conflict in Liberia and developments in Sierra Leone and Côte d'Ivoire. My Special Representative will examine, in consultation with his colleagues in UNAMSIL, MINUCI and the United Nations Office for West Africa and other relevant components of the United Nations system, the various aspects of the impact of the Liberian conflict on the subregion and explore ways of addressing them. He will also explore ways of strengthening United Nations efforts to contribute to the consolidation of peace in the subregion, as well as ensuring an optimal use of United Nations human and material assets. Consideration should be given to developing and implementing a subregional programme for disarmament, demobilization and reintegration. I call on all Member States, particularly the countries neighbouring Liberia, to cease any support that may have been given to armed groups in Liberia and to ensure that their national territories are not used by armed groups to destabilize the country.

113. The success of the United Nations Mission in Liberia will depend on the availability of adequate financial and logistical resources, not only for the implementation of key provisions of the Peace Agreement but also for creating a conducive environment for Liberians to reconstruct their lives. I strongly recommend that substantial provisions be made in the budget of the Mission for the implementation of quick-impact projects. I also recommend that a trust fund be established to support the implementation of various aspects of the Peace Agreement that may require considerable funding. In addition, consideration should be given to

the need for resources for the equipping and remuneration of the national police force to be provided through a trust fund. Furthermore, the United Nations should insofar as possible provide ECOWAS and its Special Representative for Liberia with all necessary support, including through the possible provision of logistics assistance and funding for personnel.

114. The major functions performed by the United Nations Peace-building Support Office in Liberia will be transferred to the new United Nations operation in Liberia, together with staff of the Office, as appropriate. Meanwhile, I would like to express my appreciation to my Representative for Liberia and the staff of the Office for the work they have carried out under often difficult circumstances.

115. Since his appointment, my Special Representative has already established contact with important regional and international players to secure their support for the Liberian peace process. He intends to continue to work closely with them, including through their representatives in Liberia. Similarly, I count on the support of all Member States and regional and subregional organizations for my Special Representative and the important mission that I have entrusted him with.

116. I would like to emphasize that the situation in Liberia requires a comprehensive, multidimensional and sustained response from the international community. A secure environment countrywide will be a vital factor in ensuring the successful implementation of the Comprehensive Peace Agreement. Any erosion of the ability to provide a level of security commensurate with the task, particularly the need for a properly structured force with a sufficient number of troops, and an appropriate range of capabilities will jeopardize the ability of the military component to carry out its tasks and is likely to prolong the time frame. Similarly, a strong civilian police component is essential.

117. I recommend that the Security Council, acting under Chapter VII of the Charter, authorize the deployment of a multidimensional United Nations peacekeeping operation with a mandate in line with my recommendations in paragraph 51 and with adequate resources, including a troop strength of up to 15,000, including 250 military observers, 160 staff officers and up to 875 civilian police officers and an additional five armed formed units each comprising 120 officers and a significant civilian component and necessary support staff.

United Nations S/2003/876

Security Council

Distr.: General
11 September 2003

Original: English

Letter dated 10 September 2003 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the Security Council

In my capacity as the Representative of the current Chairman of the African Union, I have the honour to transmit herewith the communiqué issued by the Ninety-Fourth Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution at the Ambassadorial Level, held in Addis Ababa on 29 August 2003, containing decisions on the following:

- The situation in Somalia;
- The situation in Liberia.

I should be grateful if the present letter and its annexes were circulated as a document of the Security Council.

(*Signed*) Filipe **Chidumo**
Ambassador
Permanent Representative of the Republic of Mozambique
to the United Nations
Representative of the current Chairman of the African Union

03-49779 (E) 120903

Annex to the letter dated 10 September 2003 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the Security Council

[Original: English and French]

COMMUNIQUÉ OF THE NINETY-FOURTH ORDINARY SESSION AT AMBASSADORIAL LEVEL OF THE CENTRAL ORGAN OF THE MECHANISM FOR CONFLICT PREVENTION, MANAGEMENT AND RESOLUTION

29 AUGUST 2003, ADDIS ABABA, ETHIOPIA

The Central Organ of the Mechanism for Conflict Prevention, Management and Resolution held its 94th ordinary session at Ambassadorial level in Addis Ababa, Ethiopia, on 29 August 2003. The session was chaired by Ambassador Dr. Pascal Ngoga, Permanent Representative of Rwanda to the African Union (AU).

The Central Organ examined the Reports of the Interim Chairperson on the Reconciliation Process in Somalia [Central Organ/MEC/AMB/2.(XCIV)] and the Peace Process in Liberia [Central Organ/MEC/AMB/3.(XCIV)].

At the end of its deliberations, the Central Organ decided as follows:

A. On the Situation in Somalia

The Central Organ:

1. **TAKES NOTE** of the outcome of the AU Reconnaissance Mission that visited Somalia from 22 to 31 July 2003 and **COMMENDS** the Mission for the work done under very difficult conditions;

2. **RECALLS** Decision EX/CL/Dec.37 (III) adopted by the Executive Council during its Maputo Session held from 4 to 8 July 2003 in which it appealed to Member States and the international community to support the deployment of an International Force in Somalia to help facilitate the disarmament, demobilisation and reintegration process, as part of the overall efforts to restore peace and security in that country. In this respect, the Central Organ **REQUESTS** the Chairperson of the Commission to study in detail all aspects of such an International Force, including its size, mandate, modus operandi, funding, as well as modalities through which the support of the international community, including in particular that of the UN Security Council, could be enlisted;

3. In the meantime, **REQUESTS** the Chairperson of the Commission to pursue his consultations with the Somali Parties and the IGAD Technical Committee, as well as with the AU Partners on the deployment, at the appropriate time, of the AU Military Observer Mission in Somalia (AMISOM)

that will preceed the deployment of the International Force envisaged in Decision EX/CL/Dec.37 (III);

4. **URGES**, once again, the Somali Parties to demonstrate the political will required to swiftly bring the Mbagathi Conference to a successful end. In this respect, the Central Organ **REITERATES** that the responsibility for bringing about lasting peace and reconciliation in Somalia lies first and foremost in the hands of the Somalis themselves;

5. **STRONGLY URGES** the IGAD Technical Committee to demonstrate the required level of cohesion and unity of purpose in order to facilitate the reconciliation process in Somalia. In this regard, the Central Organ **ENCOURAGES** the Chairperson of the Commission to take whatever initiatives he deems appropriate with the Frontline States;

6. **REITERATES** the support of the AU to the work of the UN Panel of Experts mandated to collect independent information on violations of the UN Security Council resolution 733(1992) of 23 January 1992 imposing an arms embargo on Somalia and to provide recommendations on possible practical steps and measures for its implementation. The Central Organ further **INVITES** the Commission to work towards closer collaboration with the Panel and to submit recommendations to it on how best the AU and Member States could contribute to the effective implementation of the arms embargo. In the meantime, the Central Organ **CALLS UPON** all AU member States, in particular the countries of the region, as well as other neigboring countries and members of the international community, to fully comply with the UN Security Council resolutions on the arms embargo in order to enhance the prospect for peace, security and stability in Somalia and in the region as a whole.

B. <u>On the situation in Liberia</u>

The Central Organ:

1. **WELCOMES** the signing in Accra, on 18 August 2003, of the Comprehensive Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL) and the Political Parties;

2. **APPEALS** to all the Parties to the Comprehensive Peace Agreement to scrupulously observe their obligations contained therein and, in light of the recent upsurge of fighting in the country, **URGES** the warring factions to observe the Ceasefire Agreement of 17 June 2003;

3. **EXPRESSES** its sincere gratitude to the Current Chairman of ECOWAS, President John Kufuor of Ghana, President Olusegun Obasanjo of Nigeria, and the other Leaders of the region, the Chairperson of the African Union, President Joachim Chissano, the Interim Chairperson of the Commission, Mr. Amara Essy, the ECOWAS Mediator, General Abdulsalami Abubakar, and the Secretary-General of the United Nations, Mr. Kofi Annan, for their sustained efforts and the critical contributions that they made towards the achievement of a negotiated solution to the conflict in Liberia;

4. **COMMENDS** the Member States of ECOWAS which have so far deployed troops in Liberia in the context of the Multinational Force, which has a critical role to play in securing peace in the country, and **ENCOURAGES** the other countries in the region, as well as the international community at large, to provide troops and support for the said Multinational Force and the International Stabilization Force to be deployed in the future;

5. **FURTHER EXPRESSES** its appreciation for the role played by the international community, including the United Nations, the European Union, the United States and other members of the International Contact Group on Liberia, in support of the efforts of ECOWAS aimed at the achievement of a negotiated solution to the conflict in Liberia, and **CALLS UPON** them to contribute to the efforts to mobilize the requisite resources in support of the implementation of the Comprehensive Peace Agreement;

6. **APPRECIATES** the role played by the civil society organizations of Liberia, including the Inter-Religious Council and the Mano River Women Peace Network, both before and during the negotiations, and **ENCOURAGES** them to extend every possible cooperation for the implementation of the Comprehensive Peace Agreement;

7. **WELCOMES** the appointment of Ambassador Ramtane Lamamra as Special Envoy for Liberia and **ENCOURAGES** the Chairperson of the Commission to identify concrete measures that the Commission will undertake in respect of the role assigned to it under the Peace Agreement in support of the peace process and the post-conflict reconstruction needs of Liberia;

8. **APPEALS** once again to Member States and the wider international community to render the requisite humanitarian assistance to refugees and internally displaced persons, to alleviate their plight.

United Nations A/58/361–S/2003/877

General Assembly
Security Council

Distr.: General
11 September 2003
English
Original: Russian

General Assembly
Fifty-eighth session
Item 158 of the provisional agenda*
Measures to eliminate international terrorism

Security Council
Fifty-eighth year

Letter dated 11 September 2003 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a statement made by the Minister for Foreign Affairs of the Russian Federation, Mr. I. S. Ivanov, on the occasion of the anniversary of the tragic events of 11 September 2001 in the United States (see annex).

I should be grateful if this statement could be circulated as a document of the General Assembly under item 158 of the provisional agenda of the fifty-eighth session of the General Assembly, entitled "Measures to eliminate international terrorism", and of the Security Council.

(*Signed*) Sergei **Lavrov**

* A/58/150.

03-49773 (E) 120903 120903

Annex to the letter dated 11 September 2003 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the Minister for Foreign Affairs of the Russian Federation, Mr. I. S. Ivanov

On the occasion of the anniversary of the tragic events of 11 September 2001 in the United States

It has been two years since the terrible tragedy struck the American people on 11 September 2001. Human memory is fallible and time obliterates many events. But that day, when the blue sky above New York was darkened by a black cloud of dust from the crumbling skyscrapers, will live in the world's history. And not only because thousands of innocent people remained buried for ever under the rubble, whose lives were cut off by a terrorist act of unprecedented cruelty and perfidy — people from dozens of countries, including the Russian Federation.

That day marked the beginning of a new phase in the struggle for the survival of mankind, in the struggle with new threats and challenges. It became clear to everyone that this struggle can be won only if the international community acts together, as one.

As we remember the tragedy in New York, we also mourn the "Nord-Ost" victims in Moscow and the United Nations staff members, led by Sergio Vieira de Mello, who perished in Baghdad. And there have also been many other innocent victims of terrorism in the most diverse corners of our planet.

The weapon of terrorism is murder, and those who commit these crimes are murderers. This must be said loud and clear. We must not allow the memory of the innocent victims to be defiled by referring to the terrorists as "freedom fighters" or "defenders of the faith". We must not remain indifferent as the terrorists and their protectors, sowing fear and panic, try to destabilize the situation in individual countries and in whole regions.

In memory of all those who died at the hands of terrorists, and on behalf of the living, all States and all responsible politicians must decisively oppose terrorism in all its manifestations and take effective measures to combat this common evil.

The Russian Federation has adopted and will continue to adopt a firm and uncompromising position in this regard.

United Nations A/57/863–S/2003/878

General Assembly
Security Council

Distr.: General
12 September 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 35, 36 and 77

Question of Palestine

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Security Council
Fifty-eighth year

Letter dated 11 September 2003 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

The threats of Israel, the occupying Power, against the Palestinian people and the Palestinian leadership went a step further today when the so-called Israeli security cabinet decided to "remove Yasser Arafat" and asked the Israeli army to draw up a plan for the expulsion of the elected President of the Palestinian Authority. In fact, Israeli occupying forces today seized positions in the Palestinian Ministry of Culture directly adjacent to the compound of President Yasser Arafat in Ramallah.

At this critical juncture it must be firmly an unequivocally stated that the Palestinian land and people are not the property of the occupying Power, and carrying out such an action or even the constant repetition of this threat will be considered an assault on Palestinian national dignity and will signal the virtual demise of any peace process between the two sides. In addition, it is to be recalled that international law, specifically the Fourth Geneva Convention, is clear in its prohibition of such a war crime.

We believe that the international community must take decisive and quick action in this regard in order to prevent such an illegal and insane act from being carried out by the occupying Power. We call in particular on the Security Council to take the immediate necessary measures in this regard. Further, we believe that the international community must adopt the necessary position in condemnation of all the other war crimes being committed by the occupying Power against the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem.

03-49851 (E) 120903

The international community cannot continue to stand idly by while this dangerous situation continues its frightening and dangerous decline.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 35, 36 and 77, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations S/2003/879

Security Council

Distr.: General
12 September 2003

Original: English

Letter dated 12 September 2003 from the Secretary-General addressed to the President of the Security Council

I am attaching for your consideration and for the consideration of the members of the Security Council a letter, dated 8 September 2003, from the President of the International Criminal Tribunal for Rwanda, Judge Erik Møse (see annex).

In his letter, President Møse requests that the Security Council amend the statute of the International Criminal Tribunal for Rwanda so that, during the period during which an ad litem judge is appointed to serve on the Tribunal for a trial, he or she can also adjudicate in pre-trial proceedings in other cases.

President Møse recalls that, under the statute of the International Criminal Tribunal for Rwanda as it now stands, ad litem judges are competent only to adjudicate in the trial proceedings of the cases to which they are appointed. They are therefore not competent to adjudicate in pre-trial proceedings in other cases before the Tribunal, even though they might be available for that purpose, practically speaking.

President Møse observes that amending the statute of the International Criminal Tribunal for Rwanda in the manner that he proposes would facilitate the conduct of judicial business before the Tribunal and enable it to make better use of the time and abilities of ad litem judges who are appointed to serve in its trials.

You may recall that, earlier this year, the Security Council acceded to an identical proposal by the President of the International Criminal Tribunal for the Former Yugoslavia.

I should be most grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

03-50029 (E) 150903

Annex

Letter dated 8 September 2003 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

On 19 May 2003, the Security Council adopted resolution 1481 (2003), enhancing the powers of ad litem judges at the International Criminal Tribunal for the Former Yugoslavia (ICTY), so that, during the period of their appointment to a trial, they may also adjudicate in pre-trial proceedings in other cases. The purpose of the present letter is to request that the Security Council adopt a similar resolution for ad litem judges at the International Criminal Tribunal for Rwanda (ICTR).

It is recalled that on 9 July 2001, my predecessor, President Navanethem Pillay, requested the creation of a pool of ad litem judges at ICTR. In that request, it was proposed that the ad litem judges should not only sit in trials but also have the competence to adjudicate over pre-trial proceedings. The matter was followed up on 16 October 2001, during my meeting with the Security Council's working group; by President Pillay in her statement on 27 November 2001 to the Security Council; and in her letter of 9 October 2002.

On 14 August 2002, the Security Council adopted resolution 1431 (2002), creating a pool of 18 ad litem judges at ICTR. Their competence was limited to trial work only. This was in conformity with the solution adopted in Security Council resolution 1329 (2000) concerning ad litem judges at ICTY. Following elections of the ICTR ad litem judges in the General Assembly on 25 June 2003, the first ad litem judge took up office in Arusha on 1 September 2003. Other judges will arrive in the near future as new trials commence.

Responding favourably to letters from the President of ICTY, Claude Jorda, and his successor, President Theodor Meron, dated 12 March 2002 and 1 May 2003, respectively, the Security Council adopted resolution 1481 (2003), allowing the ICTY ad litem judges to adjudicate in pre-trial proceedings. It is against this background that I now make this request to increase the competence of the ICTR ad litem judges.

Pre-trial motions represent a heavy workload. The present restriction on ad litem judges to participate in trial work only, prevents the ICTR from making efficient use of them. Like ICTY, ICTR has only three courtrooms available. Trial Chamber sections will sit in morning and afternoon shifts. Consequently, ad litem judges will have the time required to attend to pre-trial work even if they are sitting on trials. Given their knowledge and experience, ad litem judges will be qualified to prepare other cases for trial.

The limited and temporary character of the appointment of ad litem judges will in no way be called into question by giving them this additional responsibility. An ad litem judge will remain assigned to a particular trial and, for the duration of that trial, carry out pre-trial work in other cases. Consequently, no additional expense would be incurred by the United Nations.

In accordance with article 12 quater of the ICTR statute, ad litem judges will still not participate in the adoption of Rules of Procedure and Evidence, the review of indictments, consultations held by the President in relation to the assignment of

judges pursuant to article 13 of the statute or in relation to a pardon or commutation of sentence pursuant to article 27 of the statute. There is no question of the ad litem judges becoming quasi-permanent judges. The aim of the reform is to maximize the use of available judicial resources and to increase the judicial output at the pre-trial stage. This is an important contribution to the ICTR completion strategy.

I would appreciate it if you would transmit the present letter to the Security Council for the attention of its members.

(*Signed*) Judge Erik **Møse**
President

United Nations S/2003/880

Security Council

Distr.: General
12 September 2003
English
Original: Arabic and English

Letter dated 12 September 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Arab Group for the month of September 2003, and on behalf of the States members of the League of Arab States, I have the honour to request the convening of an immediate meeting of the Security Council to consider the continued Israeli escalation against the Palestinian people and their leadership and to take the necessary measures in this regard. Attached is a draft resolution for the consideration of the Security Council.

(*Signed*) Elfatih Mohamed **Erwa**
Ambassador
Permanent Representative
Permanent Mission of the Republic of Sudan
Chairman of the Arab Group

03-49939 (E) 120903 120903

Annex to the letter dated 12 September 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: English]

Draft resolution

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, 1405 (2002) of 19 April 2002 and 1435 (2002) of 24 September 2002,

Reiterating its grave concern at the tragic and violent events that have taken place since September 2000 throughout the Occupied Palestinian Territory and in Israel and the recent dangerous deterioration of the situation, including the escalation in extrajudicial executions and suicide bombings,

Reaffirming the illegality of the deportation of any Palestinian by Israel, the occupying Power, and affirming its opposition to any such deportation,

Reiterating also the need for respect in all circumstances of international humanitarian law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. *Reiterates* its demands for the complete cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

2. *Demands* that Israel, the occupying Power, desist from any act of deportation and cease any threat to the safety of the elected President of the Palestinian Authority;

3. *Expresses its full support* for the efforts of the Quartet and calls for increased efforts to ensure the implementation of the road map by the two sides;

4. *Decides* to remain seized of the matter.

United Nations S/2003/881

Security Council

Distr.: General
12 September 2003

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of Germany on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 12 September 2003 from the Permanent Mission of Germany to the United Nations stating that Mr. Georg Enzweiler has been appointed alternate representative of Germany on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

03-49946 (E) 120903

United Nations S/2003/882

Security Council

Distr.: General
12 September 2003

Original: English

Letter dated 26 August 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultations with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the statute, for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge Claude Jorda, a national of France, has resigned as a judge of the International Criminal Tribunal, effective 1 October 2003, as he has been appointed a judge of the International Criminal Court.

The Government of France has presented the candidacy of Mr. Jean-Claude Antonetti to replace Judge Jorda. Please find attached his curriculum vitae (see annex).

It is my view that Mr. Antonetti meets the qualifications prescribed in article 13 of the statute of the International Criminal Tribunal. I also consider that Mr. Antonetti's appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13 bis, paragraph 1 (c), of the statute.

I should, therefore, like to proceed to consultation with you on the appointment of Mr. Antonetti, in accordance with article 13 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Former Yugoslavia. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

03-50036 (E) 180903 190903

Annex

Curriculum vitae

[Original: French]

Jean-Claude Antonetti

Born on 13 July 1942 in Pau, France

Married, with two children

Qualifications

- Licence d'histoire géographie (bachelor's degree in history and geography)
- Maîtrise de sciences politiques (master's degree in political sciences)
- Auditeur de justice (magistrate-in-training) at the National School for Magistrates
- Attended the thirty-seventh national session of the Institute of Higher Studies in National Defence

National activities

1 November 1964-1 January 1973:	Primary school teacher in Seine-Saint-Denis and Paris
1 January 1973-1 February 1977:	Attaché in the central administration of the Ministry of the Interior (Paris prefecture)
21 January 1977:	Deputy Government Procurator at the Court of Major Jurisdiction in Evry
20 December 1979:	Magistrate in the central administration of the Ministry of Justice
	– Assigned to the Detention Office in the Prison Service Directorate
	– Chef de cabinet of the Director of the Prison Service (Messrs. Dablanc and Zakine)
	– Chef de cabinet of the Director of Civil Affairs and Justice (Mr. Denoix de Saint-Marc)
	– Assigned to the International Law Office of the Civil Affairs and Justice Directorate
1 October 1982:	Chief of the Foreign Legislation Service of the Ministry of Justice
1983-1984:	Rapporteur of the Commission of Appeal in Refugee Matters

1984-1 October 1986:	Legal adviser in the Office of the General Secretary of the Inter-ministerial Committee for European Economic Cooperation Affairs (Ms. Elisabeth Guigou)
1 October 1986:	Special adviser in the Office of the Minister of Justice (Mr. Albin Chalandon) and Chief of the Communication Service of the Ministry of Justice
8 September 1987:	Government Procurator at the Court of Major Jurisdiction in Senlis
21 October 1991:	Vice-President of the Court of Major Jurisdiction in Paris
9 June 1995:	Technical adviser on justice and human rights in the Office of the Prime Minister (Mr. Alain Juppé)
1 April 1998:	Technical adviser on justice in the Office of the President of the Republic (Mr. Jacques Chirac)
4 July 2002:	Divisional President at the Court of Appeal in Paris

Decorations

Penitentiary Medal

Judicial Protection of Youth Medal

Order of Merit

International activities

1980:	Mission to study juvenile delinquency in Quebec (French Quebec Office for Youth)
1981:	Mission to study the American prison system (United States of America and Canada)
1982:	Chief of the Foreign Legislation Service of the Ministry of Justice
1983:	Member of the French delegation to the conference of the International Institute for the Unification of Private Law (UNIDROIT) on commercial representation, held in Geneva
1983-1984:	Magistrate in the International Law Office of the Ministry of Justice, responsible for:

- Following international cases (private international law and public international law)
- European Court of Human Rights

1984-1986: Legal adviser in the Office of the General Secretary of the Inter-ministerial Committee for European Economic Cooperation Affairs, responsible for:

- Following European cases (European Council, Justice and Home Affairs Council)
- Directing the legal team working on the revision of the Treaty of Rome (Single European Act)
- Preparing French statements of cases before the Court of Justice of the European Communities in Luxembourg

1986-1987: Special adviser in the Office of the Minister of Justice, responsible for following international cases

1987-1991: Hearing terrorism cases (Irish Republican Army, Iranians, Kurds)

May 1994: United Nations electoral observer in El Salvador

1996-1997: Office of the Prime Minister, responsible for following legal cases with an international element:

- Extraditions
- International mutual assistance in judicial matters
- Despoilment of Jewish property
- Russian loans
- Terrorism

Since 1998: Office of the President of the Republic, responsible for following national and international legal cases

Foreign languages

Spanish, English

United Nations S/2003/883

Security Council

Distr.: General
12 September 2003

Original: English

Letter dated 29 August 2003 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 26 August 2003 (S/2003/882) concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Mr. Jean-Claude Antonetti as a judge of the International Criminal Tribunal for the Former Yugoslavia.

(*Signed*) Mikhail **Wehbe**
President of the Security Council

03-50011 (E) 160903

United Nations S/2003/884

Security Council

Distr.: General
12 September 2003

Original: English

Letter dated 9 September 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the letter dated 29 August 2003 (S/2003/883) from the former President of the Security Council, Mr. Mikhail Wehbe, concurring with my proposal to appoint Mr. Jean-Claude Antonetti as a permanent judge of the International Criminal Tribunal for the Former Yugoslavia. I have received a corresponding letter from the President of the General Assembly. Accordingly, I have appointed Mr. Antonetti as a permanent judge of the International Criminal Tribunal for the Former Yugoslavia, effective 1 October 2003, for the remainder of the term of office of Judge Claude Jorda, which term will expire on 16 November 2005.

(*Signed*) Kofi A. **Annan**

03-50023 (E) 160903

United Nations A/57/865–S/2003/885

General Assembly
Security Council

Distr.: General
12 September 2003
English
Original: French

General Assembly
Fifty-seventh session
Agenda item 160
Measures to eliminate international terrorism

Security Council
Fifty-eighth year

Letter dated 12 September 2003 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a joint communiqué issued on 11 September 2003 by the representatives of the Union de transports aériens (UTA) flight 772 families and the Gaddafi International Foundation for Charity Associations concerning the attack on the UTA DC 10 aircraft on 19 September 1989 (see annex).

This document refers to an agreement reached with a view to a final settlement of this matter, in conformity with the relevant Security Council resolutions and, in particular, resolutions 731 (1992) and 748 (1992). Accordingly, the French authorities consider that there are no longer any grounds to oppose the lifting of the sanctions on the Socialist People's Libyan Arab Jamahiriya. They expect the Libyan party to implement fully the commitments it has made in the agreement referred to in the aforementioned document.

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the fifty-seventh session of the General Assembly, under agenda item 160, and of the Security Council.

(*Signed*) Jean-Marc **de La Sablière**

03-50017 (E) 150903 150903

Annex to the letter dated 12 September 2003 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

[Original: English and French]

Joint communiqué

11 September 2003

Gaddafi International Foundation for Charity Associations

DC 10 Families in Anger !

On 10 September 2003, the Gaddafi International Foundation for Charity Associations and the "DC 10 Families in Anger !" signed an agreement to set up a French foundation, the purpose of which will be the payment of an amount to the victims' families. This agreement will, as a consequence, pave the way for a total withdrawal of any claim against Libya or Libyan nationals concerned by the disaster not already settled by a court and for the renunciation to any civil or criminal action before French or international courts related to the UTA DC 10 disaster.

"DC 10 Families in Anger !" and the Gaddafi International Foundation for Charity Associations have a common will to reach a final settlement within one month from the date of the signature leading to full reconciliation and the re-establishment of friendship between the two peoples without any reservation.

A second press release will be published 13 September 2003.

United Nations S/2003/886

Security Council

Distr.: General
15 September 2003

Original: English

Letter dated 12 September 2003 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held on Monday, 15 September 2003, regarding the situation in the Occupied Palestinian Territory, including East Jerusalem.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine
to the United Nations

03-51337 (E) 150903

United Nations S/2003/887

Security Council

Distr.: General
15 September 2003

Original: English

Letter dated 12 September 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

We would like to kindly request the inscription of Mr. Yahya Mehmasani, Ambassador and Permanent Observer of the League of Arab States to the United Nations, in the list of speakers for the meeting that will be held on Monday, 15 September 2003, on the agenda item: "The situation in the Middle East, including the Palestinian question", in accordance with rule 39 of the Council's provisional rules of procedure.

(*Signed*) Dr. Fayssal **Mekdad**
Permanent Representative
Ambassador

03-51349 (E) 150903